the weekly
Standard
JUNE 18, 2001 / $3.95

THE FLORIDA TRAVESTY, CONT.
JENNIFER C. BRACERAS

The Unrealistic Realism of Henry Kissinger

BY MAX BOOT

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the weekly Standard

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Towards a More Picturesque Hate Speech

Proof that the speech police in America are almost all on the left: the amazingly forgiving reaction of the press to California attorney general Bill Lockyer's attack on Enron chairman Kenneth Lay.

Lockyer is running the price-fixing investigation in which California's political establishment attempts to shift blame for the state's power blackouts to Texas energy companies like Enron. By smearing energy traders (though no wrongdoing on their part has been credibly charged), Lockyer can divert attention from California legislators (like himself) whose partial deregulation of the state's electricity grid turned out to be amazingly boneheaded.

In late May, Lockyer came up with a new demagogic sound bite. He was so pleased with himself that he tried it out on a *Wall Street Journal* reporter. "I would love," said the attorney general of California, "to personally escort Lay to an 8-by-10 cell that he could share with a tattooed dude who says, 'Hi, my name is Spike, honey.'" There is no evidence, by the way, that Lay and Enron have done anything illegal or even wrong in their dealings with California utilities.

The reaction to Lockyer's threat has been surprisingly muted. Texas papers got exercised, naturally, over the insult to one of their own. A sprinkling of columnists arched their eyebrows. But Lockyer's office itself has been brazenly unrepentant over what really was an astonishing breach of decorum by a high public official.

"Those focusing on the colorful language," said a spokesman, "are missing the point—that we're not afraid of energy companies and we are serious about going after them for any wrongdoing."

Actually, what they call "colorful language" is the point, as Tom Palmer of the Cato Institute argued quite forcefully in a June 6 op-ed for the *Los Angeles Times*.

Lockyer, Palmer points out, has not only "admitted that rape is a regular feature of the state's prison system, but also that he considers rape a part of the punishment he can inflict on others. . . . He has publicly stated that he would like to personally arrange the rape of a Texas businessman who has not even been charged with any illegal behavior. . . . His remarks reveal him to be an authoritarian thug, someone wholly unsuited to holding an office of public trust."

Should it matter, Palmer asks rhetorically, "that Lay is a businessman? Imagine the outcry if the head of Enron were female. What would Lockyer's fellow Democrats have said to that?"

Well, actually we can guess what they would have said. If it had looked politically advantageous to posture about sexual violence, they would have bayed at the moon and ripped him from limb to limb for hate speech. Otherwise, they would simply have snickered into their sleeves and asked, "What's wrong with a little colorful language among friends?" ♦

Satellite Reversal

A foolish consistency is rarely the hobgoblin of congressional minds, especially when there's money at stake. Still, even THE SCRAPBOOK is shocked on occasion.

Consider the case of Dana Rohrbacher, normally one of the House's most vigilant hawks. During the Clinton years, the effusive Californian led the fight to tighten export controls to prevent the transfer of militarily sensitive high technologies, especially to China. Then, extremism in the defense of liberty was no vice to Rohrbacher: "There's no way you can overreact to American businessmen intentionally betraying their country in a way that leaves Americans vulnerable," he said.

Now, however, Rohrbacher is sponsoring a bill—along with ultraliberal Democrat Howard Berman—to reverse the very export controls he fought to put in place a few years ago, especially since they make life tougher for California satellite-makers. "I wasn't out to destroy the satellite industry," he told Jim Mann of the *Los Angeles Times*. "If we can trade with Communist China in a way that doesn't put our country and our national security at risk, that's fine."

THE SCRAPBOOK's surprise at this acrobatic flip-flop is exceeded only by the delight of satellite industry spokesmen themselves. "If you'd talked to me a month ago, I'd have said there was no way this was going to happen," one told the *Times*. ♦

Gem of an Idea

Last November, THE SCRAPBOOK reported on an amazing feature story from the health section of the *Washington Post*: The Department of Housing and Urban Development had approved an "alternative wellness" therapy program for public housing residents who were ailing from, among

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other things, glandular imbalances and drug addiction. The program, contracted out to the National Institute for Medical Options, involved treatment of an ethereal nature: gemstones, incantations, and "goddess" typing—are you Aphrodite or are you Minerva?

As the *New York Post* recently detailed, the program's expenses included $3,174 for incense packs, $6,255 for aroma kits, $624 for nutrition kits that included candy and Jim Beam whiskey, and $6,270 for gem bags. Gem bags? In total, all of this was costing taxpayers $860,000 over a three-year period—until now.

Lest you think this page never has good news to report, the Bush administration has decided to axe the program. Taxpayers will want to raise a glass of that nutritious Jim Beam. ♦

The Federalist Papers for Dummies!

A publishing breakthrough is being heralded at the WorldNetDaily online store—*The Federalist Papers in Modern Language*. In case you weren't aware, a breathless publicist wants you to know, "The Federalist Papers are among the most important Founding Documents in the birth of the United States of America. But most Americans have never read them. Why? Because they were written in the florid and complex language of 18th Century politics. Now the Federalist Papers have been translated into modern American English. If you can read a newspaper, you can now read the Federalist Papers."

Thanks, but we'll take our Hamilton, Madison, and Jay neat. If you have a problem with "florid and complex" political language, you might as well stick to the newspaper. ♦

The Clinton Legacy, cont.

As Mickey Kaus and Debra J. Saunders, among others, have noted, it looks like one of Bill Clinton's last minute pardons cost former assembly speaker Antonio Villaraigosa the mayor's race in Los Angeles.

Villaraigosa had weighed in on behalf of clemency for cocaine smuggler Carlos Vignali, whom Clinton released after half of his 14-year sentence. Villaraigosa at first said he had done no such thing. Then his 1996 letter to Clinton surfaced, exposing the lie. L.A. city attorney James Hahn, also a liberal Democrat but not a political ally of a drug smuggler, ran some tough ads on the issue and pulled out the victory. "How ironic," concludes Saunders. "The man known as the first black president may have helped elect L.A.'s last white mayor." ♦

The Real Stahl

In a review two weeks ago in these pages ("Television Journalism as Oxymoron," June 4), we referred, *en passant*, to Lesley Stahl's "ghostwritten" memoir. Stahl has since informed us that *Reporting Live* was not ghostwritten. ♦

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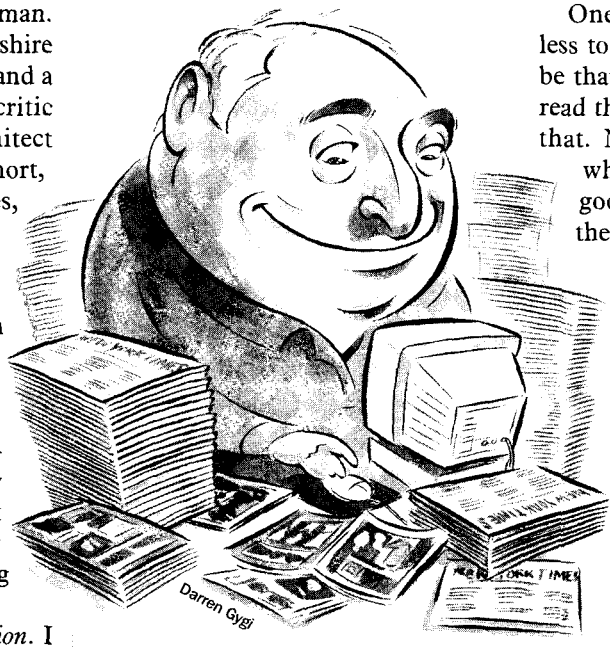
Casual

Read All Over

The June issue of the *New Criterion* arrived last week, and I can't tell you just how really, truly . . . ambivalent I am about that. It looks, once again, like a wonderful issue. It includes a review by Mark Steyn of *The Producers*, and a long essay on journal-writing by Joseph Epstein. There's a diary of the New York music scene by Jay Nordlinger and a comparison of British and American obituary-writing by James Bowman. There's a review by John Derbyshire of a book on probability theory, and a review of a biography, by the critic Michael J. Lewis, of the architect Frank Furness. There are, in short, more than a half dozen articles, totaling probably twenty thousand words, by several of the liveliest and most intelligent magazine writers I know of, on subjects of interest to me personally and professionally, offering the prospect of hours and hours of pleasure and edification, and I don't mean any offense when I say that right at the moment, as things now stand, I can't imagine anything more unnecessary.

I don't blame the *New Criterion*. I don't have time for petty finger-pointing. I've got other stuff to do. I still haven't read last Sunday's *New York Times*. It's sitting in a basket in my dining room, all twelve pounds of it, emitting subtle subsonic vibrations that sail silently around the house and reach me in whatever room I happen to be in. "I'm still waiting," it says. "Don't you want to read about the newly discovered ruins in Majorca, in the Travel section? The article couldn't be more than 1,500 words! And so well written!" And I do want to read about Majorca, I do, I'm dying to go to Majorca someday, but first, of course, I've fallen behind in my other reading.

The *New York Review of Books*, for example, and *People* magazine: For professional reasons I like to keep up with both publications. And several issues worth of each are stacked on my coffee table in the family room. They're much more dated than last Sunday's *New York Times*. So if I'm to go about my reading in a systematic manner, which I intend to do, and clear up this tremendous backlog of unread stuff that seems to have accumulated, I should do so in chronological order, which means barreling through these back issues of the *New York Review* and *People* before turning to last Sunday's *Times*. Correct?



But it's more complicated than that. A newspaper has greater immediacy than a biweekly like the *New York Review*, and is weightier than a gossip rag like *People*, so according to the complex equation I've worked out to solve precisely these questions of what I should read and when, a four-day-old unread Sunday *New York Times* should be read before a six-week-old *New York Review*, and definitely before an issue of *People* from last February, even if Nicole Kidman is on the cover, which she usually is. Fine. Perfectly logical. But where, then, do I place the *Atlantic*? After an "off" period lasting roughly three-quarters of a century, the *Atlantic* has remade itself into a magazine that's a joy to read. I know because I've read at least three articles in the last three issues and there are several more I'm planning to read, which is why I have them stacked on an end table in my office. Now that I look at it, I see it's the same stack that contains last month's *New Criterion*. I'll have to read that before I start on the June issue. The *New Yorker*'s really good, too, by the way. It comes out every week. Every single week.

One further complication, needless to say, is the Internet. It used to be that a fellow could just neglect to read the Sunday *Times* and leave it at that. Now, thanks to the Internet, which can move mountains of good reading to your desktop at the speed of light, I feel compelled not to read the London *Sunday Telegraph* or the *Guardian*, both of which are must reading. And then there are the online magazines, the ones found in cyberspace exclusively. A couple of gardening sites, for example, offer articles that are indispensable to a beginning gardener like me, and if I don't know that I'm not reading them I feel as though I'm slacking off. And *Slate*, too: a witty online magazine from which I've accumulated literally dozens of articles I'm planning to read, on subjects ranging from sexual politics to one called "A Time-Saving Tip for Reading the *New York Times*," which I hope to read after I finish reading the *Times*. I store these articles on my computer. They're retrievable at the touch of a button, saving me huge amounts of table-top space—yet another advantage of the new technology. And they said computers would destroy the pleasure of reading!

Andrew Ferguson

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Feeling Your Pain

Usually I applaud The Weekly Standard's commentary, but in the case of "A Bad Prescription from the DEA" by Eric Chevlen (June 4), I must respond to elements seemingly ignored in the article.

First, despite providing excellent, time-released pain relief, OxyContin has addictive qualities that Chevlen does not really mention in the article. As I am personally living with someone who has withdrawn from the drug, I should know. Street abuse of any drug will obviously create a sensation, but the problem with OxyContin is its deceptiveness. It begins to accumulate in the bloodstream and therefore causes the same withdrawal symptoms as heroin addiction, albeit with a decidedly different delivery method: health care professionals.

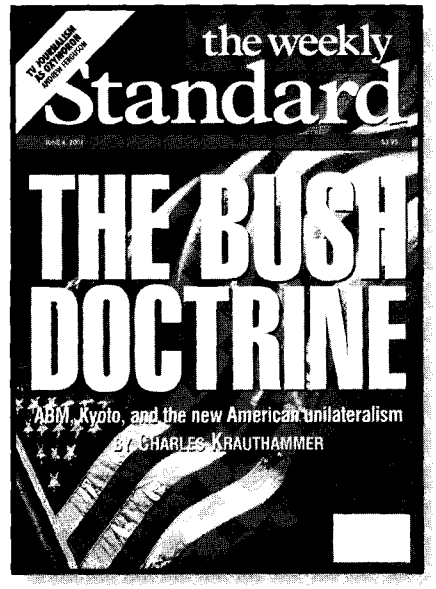
For cancer sufferers, I believe anything which provides them relief should be administered, but for other chronic pain sufferers Purdue Pharma has manufactured a drug that dose by dose unknowingly creates an addict. As would be the norm, I suggest the good doctor take some of his own medicine and then rewrite his article once he's clean. He'd be a changed man despite the scientific data, which prove only what the media or the medical community wants anyway.

As for Chevlen's comment that drug companies are in a tight spot in cases like this: Well, how's it feel? Painful? Good, maybe now they know what the rest of us have always known: Life's hard, get used to it.

Tom Blades
Philadelphia, PA

Eric Chevlen responds: Mr. Blades makes a common mistake in confusing drug addiction and drug dependence. The distinction is critical. Addiction is characterized by impaired control over drug use, compulsive use, continued use despite harm, and craving. Drug dependence, sometimes called physical dependence, is quite different. It is manifested by a withdrawal syndrome that can be produced by abrupt cessation of the drug. If a person does not already suffer from the disease of addiction, the likelihood of his becoming addicted as the result of using a properly prescribed opioid is very low. On the other hand, nearly everyone who takes significant doses of opioids for pain relief will become drug dependent.

This ability to cause dependence is shared by several classes of drugs, including some used to treat hypertension and auto-immune disorders. Even coffee can cause drug dependence. I know that if I go one day without a cup (abrupt cessation) I get a nasty headache (withdrawal syndrome). For most patients with chronic pain, the pain is comparable to hypertension or diabetes, a treatable but incurable disorder that requires lifelong therapy. In such cases, the fact that opioids cause dependence is moot, since the drug should not be discontinued. In those uncommon cases in which the cause of the pain is reversed, the problem of drug dependence is managed by simple gradual tapering. Frankly, I am mystified by Mr. Blades's wishing pain relief for cancer patients but apparently wanting to deny it to those who suffer chronic pain from amputations, crush injuries, shingles, and a host of other painful disorders.



Cooler Heads

As a lifelong (but often aggrieved) Democrat, I wanted to tell you how much I appreciate the intellectual honesty I find so often in The Weekly Standard, with William Kristol and Terry Eastland's "Faith and Poverty" editorial (June 4) being a good example.

Your critiques of Great Society programs are measured and possess none of the typical bombast and hyperbole that are unfortunately so common among conservatives today. I don't always agree with what you write (though I do more often than you might think), but it is a genuine pleasure to read and hear conservative commentary that is truly intelligent and serious and doesn't require constant filtering for partisanship.

As Kristol and Eastland note, Bush's faith-based initiative is his most intriguing and dynamic proposal by far, and it deserves a far more well-reasoned analysis than the trite Republican-versus-Democrat blather of the mainstream media. Thanks for continuing to produce a coherent, thoughtful magazine.

Eric Bush
Raleigh, NC

Organs for Sale

Wesley J. Smith is correct: The fear that organs will be harvested from the non-dead discourages organ donation ("The Ethics of Organ Donation," May 28). What will significantly increase the organ supply is a relaxation of the prohibition against providing financial incentives to living, healthy individuals to donate organs. This is another example of government price controls artificially constraining supply of a vital resource. Ethical arguments against paying donors really don't hold water in an age when nearly every other human biological product, from blood to babies, is for sale to the highest bidder. The net result of these constraints is thousands of unnecessary deaths from kidney and liver failure each year.

To avoid the spectacle of organs on eBay, the government could offer a lifetime federal tax exemption to anyone who donates an organ. Such a policy would very likely succeed in increasing the number of organs available for donation in a humane way. It would save even more money over the long run, since maintaining someone on dialysis is far more costly than transplantation. There

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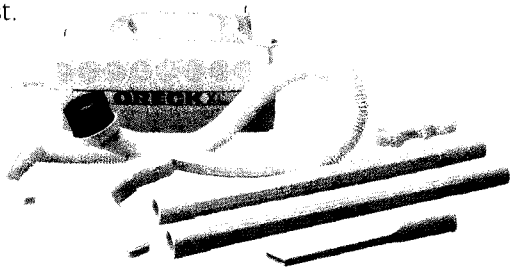

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is no moral justification for this pseudo-ethical ban that condemns thousands to dialysis and premature death.

RICHARD AMERLING, M.D.
New York, NY

SAVE THE OSPREY

CHRISTIAN LOWE pointed out superbly the risks of embracing new technology such as the V-22 Osprey—and the risks of not doing so ("Keep the Osprey Flying," May 21).

Less than a hundred years ago, a group of innovative thinkers saw ways to transport people through the air in craft that didn't require long runways and large storage spaces. These aircraft, as envisaged by the designers, would revolutionize the way Americans fight wars by giving them a capability called "vertical envelopment." Just as important, these aircraft would land directly on a battlefield to haul away casualties in a fraction of the time needed to transport them to an aid station via ambulance. These aircraft were called helicopters, and they required years of testing before they were deemed operational. Today, Americans cannot imagine going to war without them. If the armed forces adopt the mindset of some of the Osprey's critics—i.e., "Isn't today's technology good enough?"—they will never progress.

PHILLIP THOMPSON
The Lexington Institute
Arlington, VA

LIKE CHRISTIAN LOWE, I believe in and support the idea of a progressive military. The addition of a fully functional Osprey fleet will no doubt enhance our military brawn. Lowe, however, seems to believe that we should proceed full-throttle with the continued development of a prototypical war-ready machine that is responsible for killing almost 20 percent as many U.S. servicemen and women as were killed in the Persian Gulf War.

Lowe's research-and-development analogy between the Osprey and the F-117 was poor. The crash of a dual-pilot craft costs the United States two lives at worst. The Osprey, being a transport craft, must simulate the transportation of several Marines for realistic testing.

When 23 people die in the development of a modern war machine, America must "cast a cynical eye" (as Lowe disparagingly describes the media's Osprey coverage). The only expression of regret made in the piece is the description of the two multiple-fatality crashes as "hard times" experienced by our expanding military.

I realize that the article was in good taste, but alluding to the risk-welcoming spirit that our country was founded upon completely contradicts the claim made earlier in the same sentence that "we are the country of innovation." In this case, innovation must describe a more conservative approach to the already deadly situation. Changing some of the temporal misnomers and replacing "V-22 Osprey" for "Ironclads at the bottom of the Atlantic," Lowe's argument would be just as appropriate. But more revealingly, we would see that the "welcomed risk" described is anything but innovative.

JOHN PAPALAS
Raleigh, NC

CHINA GAMES

JAMES D. MILLER argues that the logic of game theory points toward the United States's abandonment of its traditional posture of "strategic ambiguity" vis-à-vis China and Taiwan ("Games Countries Play," May 21). Using a "two-player game" featuring the United States and China, Miller concludes that an unambiguous pledge to defend Taiwan is a greater deterrent to Chinese attack.

What complicates Miller's logic is that the United States actually faces not a two- but a three-player game, since Taiwan itself is not a mere bystander. A Taiwanese declaration of independence, the most likely precursor of a Chinese attack, is more probable if the United States commits to defend Taiwan come what may.

Policymakers must guess whether abandoning strategic ambiguity would propel Taiwan toward the fateful step of independence. As useful as game theory can be, this is a question not of logic but of likelihoods.

ANDREW G. BIGGS
Washington, DC

EVIL TWINS

MANY THANKS to Terry Eastland for his review of Jay Winik's *April 1865*, and especially for one particular line ("The Quirks of History," April 30). At the very end of the review, Eastland states that one of the purposes for the preservation of our nation was its continued existence into the 20th century so it could counter the evils of fascism and communism. It is too seldom that political writers in the past half-century have recognized the evils of both types of totalitarian regimes. All too often, anti-communism has been erroneously and irresponsibly portrayed as fascism in another form. And in the absence of a cold war, revisionist leftist historians and school curriculum developers have painted communism as an intellectually valid ideology that was only temporarily "modified" by Stalin, for which they say he should be forgiven, as he was our steadfast wartime ally against Hitler.

If Communist ideology is so strong, pure, and altruistic, then why did Stalin kill more people in camps and by purges and starvation by 1933 than Hitler ever would following his coming to power that same year? While Eastland's review focuses on the Civil War, it demonstrates that history is not random events, but a study in causality. And it reminds us that fascism and communism are identical twins, peas in a pod, and intimate partners in mendacity, mayhem, and murder.

RICH LOPICCOLO
Monroeville, PA

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the weekly Standard

Dear Mr. President

Two weeks ago, following a long round of high-profile diplomacy, the Bush administration finally achieved what it thought an acceptable entente with the People's Republic of China regarding the disposition of our downed EP-3 surveillance plane. The entire embarrassing incident thus safely consigned to history, America's China-policy professionals have returned to their day jobs—an expert enterprise so exquisitely subtle that untutored civilians are very often unable to distinguish it from simple appeasement of Beijing's Communist rulers. As, for example, on June 1, when, with the famous EP-3 still squatting on a Hainan runway, President Bush announced his intention to renew China's favorable treatment under U.S. tariff schedules for another year. Just the way, he pointed out, "every president has done since 1980."

Bush went on to argue—again, as has every president since 1980—that vigorous trade with China is good for American "business" and "farmers" and "workers" and "consumers." And good for their Chinese counterparts, too, he urged us to believe: Bilateral commercial entanglements are indispensable "if we are to promote American values of transparency and accountability and ensure that the Chinese government adheres to the rule of law in its dealings with its own people as well as with the international community."

The president did not explain how it is, the United States having so guaranteed vigorous trade with China for more than twenty years now, that said country nevertheless remains a virtual wasteland where such "American values" are concerned. Nor did the president explain why he should feel liberated to make public his "normal trade relations" decision merely by China's promised return of a ruined airplane. We would have expected George W. Bush, in accordance with his own stated principles, to care rather less about this piece of machinery and rather more about certain other, truly priceless American resources held captive by Beijing.

We are referring here, of course, to the fact that, for several months now, China's fearsome Ministry of State Security has been "detaining"—and refusing to provide more than superficial information about—a half dozen U.S. citizens and permanent residents. Surely the plight of these detainees speaks as nothing better could to the abject *failure* of American import-export policy as a means to "ensure" Beijing's respect for the rule of law. Surely President Bush cannot seriously hope to maintain "normal" relations with China so long as its government is openly and unapologetically conducting a terror campaign against selected visiting Americans. And surely the protection and retrieval of these Americans must be the Bush administration's very highest China-policy priority at the moment. Surely, indeed, every other question must be deferred, every other planned démarche or initiative must be frozen in abeyance, *until we get our people home*.

A man named Li Shaomin is one of these people. He and the others have led roughly parallel lives. Li was born in Beijing in 1956. When he was 10, during the Cultural Revolution, his father, Li Honglin, a leading Chinese intellectual and Communist party official, was purged and exiled with his family to northeastern Hebei province. There they survived by raising ducks. And there Li Shaomin, despite being denied formal schooling, somehow managed to learn enough that his was the nation's highest score on the 1978 Beijing University entrance exam.

At the university, Li met his wife, Liu Yingli. Upon graduation, the couple moved to the United States where both did graduate work, Li earning a Ph.D. in sociology from Princeton and a post-doctoral fellowship from Harvard. After Boston, Li spent several years working as a senior analyst for AT&T in New Jersey. (The man who hired him, Salvatore Cordo, has organized an Internet petition drive on Li Shaomin's behalf at the following address: *www.atdinc.com/Li_Shaomin_petition_FR.htm*. We urge our readers to participate.) By then, Li's father had been rehabilitated and returned to prominence as a top deputy of the reformist Communist party chief Hu Yaobang. But Li Honglin would again be purged, and briefly imprisoned, for his support of the "counterrevolutionary" pro-democracy movement that culminated in the Tiananmen massacre of 1989. That event, and the stateside birth of their now 9-year-old daughter, Diana, resolved Shaomin and Yingli to become U.S. citizens, a process they completed in 1995.

Both husband and wife have since become widely respected career academics. Li Shaomin, for his part, has published six books and innumerable papers on demography, business marketing, and political economy. Most recently, he and Yingli have been serving on the faculty of the City University of Hong Kong. It was from his office there, on the evening of Sunday, February 25, 2001, that Li

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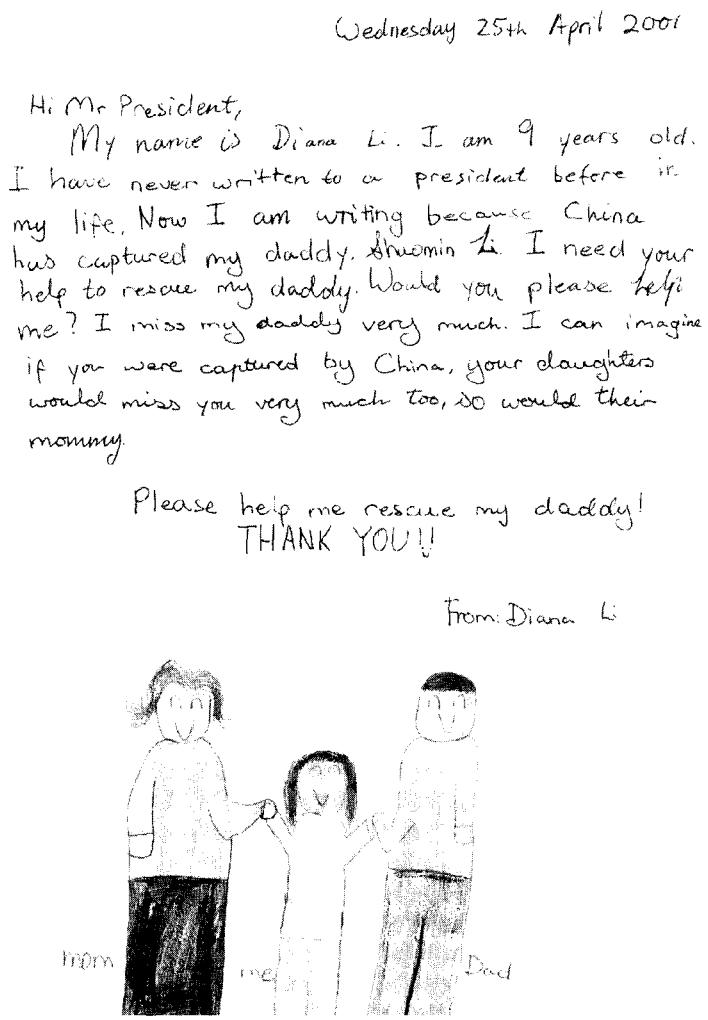
Shaomin set off for the nearby mainland city of Shenzhen, intending to visit a friend—and to return home the following afternoon. But instead he disappeared. Four agonizing days went by before Yingli learned from U.S. diplomats that her husband had been detained at the border. It has been more than 100 days since she last saw or spoke to him.

In late April, Yang Jiechi, China's ambassador in Washington, informed Rep. Rush Holt of New Jersey that his constituent, Li Shaomin, had "confessed" to "espionage activities" for the Taiwanese intelligence service. No evidence for the charge has ever been produced—and none exists, for it is false. But on May 15, having already declared him guilty, the Chinese Ministry of Security informed Liu Yingli by telephone that it had finally placed her husband under formal arrest. Her request that he be provided legal representation was denied.

Let us be plain about this. Li Shaomin's personal friends here at home have worked tirelessly to secure his release. Various U.S.-based human rights organizations, like the Princeton University chapter of Amnesty International, have joined the cause—as have an honorable number of academic organizations, like the American Association for the Advancement of Science. New Jersey's delegation to the House of Representatives has unanimously rallied to Li's support (though the state's two senators have both gone AWOL). American newspapers and television networks have given occasional notice to the case. And executive-branch agencies have fulfilled every responsibility imposed on them by law and custom. U.S. consular officials in Beijing have been unfailingly attentive and sympathetic, for example, and in Washington, both the State Department and White House have duly expressed public "concern" and urged the Chinese to proceed "fairly."

And yet. It is difficult to escape the conclusion that something crucial has all along been missing in America's response: appropriate and palpable persistence, intensity, and determination at the highest levels of our government. Individuals traveling under the ostensible protection of U.S. passports have been subjected to lengthy, arbitrary confinement—and several of them accused, without basis, of crimes for which the punishment more often than not is death—by a lawless and secretive Communist dictatorship. In short, this is a foreign policy emergency, one that directly implicates the American presidency as an institution. But we do not get the sense that White House lights are burning late into the night over the thing. And we are surprised by that.

Liu Yingli, who was in Washington last week desperately attempting to generate interest in her husband's predicament, still has heard nothing from the West Wing—though her daughter Diana's affecting letter,



Wednesday 25th April 2001

Hi Mr President,
My name is Diana Li. I am 9 years old. I have never written to a president before in my life. Now I am writing because China has captured my daddy. Shaomin Li. I need your help to rescue my daddy. Would you please help me? I miss my daddy very much. I can imagine if you were captured by China, your daughters would miss you very much too, so would their mommy.

Please help me rescue my daddy!
THANK YOU!!

From: Diana Li

reprinted on this page, was hand-delivered to the president by Rep. Chris Smith of New Jersey more than a month ago. This particular oversight appears personally out of character for George W. Bush; perhaps some procedural mistake by his aides is the explanation. Another, more serious West Wing oversight, however, can only be explained one way. For one reason or another, the president has so far chosen not to employ an obvious, most effective, and—we think—necessary mechanism of American influence on behalf of our detainees in Beijing. He has made clear to the Chinese that he wants Li Shaomin and the others set free. But he has not yet made clear that anything the Chinese want from us will depend on it.

For instance: The president is currently scheduled to attend a regional economic summit in Shanghai this October. The event, and Bush's presence there, are important to the Chinese. But if, come that time, Beijing continues to hold even a single American political prisoner, the president's trip will be politically and morally impossible, and he will not go. He needs to say as much—now, and in public, so that China might actually believe the United States can sometimes be pushed too far.

—David Tell, for the Editors

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The Special Issues of Special Elections

A Virginia congressional race may turn on Social Security. BY FRED BARNES

Chesapeake, Virginia

SPECIAL CONGRESSIONAL elections matter. In 1981, political strategist Lee Atwater left the White House staff to manage a Republican campaign for a House seat in east Texas. Atwater's candidate lost, signifying that despite Ronald Reagan's capture of the presidency the GOP wasn't on the verge of taking over Congress. In early 1994, Republicans won special elections in Democrat-held seats in Oklahoma and Kentucky—a precursor to the coming of a Republican majority in Congress. On June 19, the GOP is seeking to capture a Democratic seat in southeast Virginia. Once again, it may be a bellwether election.

The race is more important to Republicans than Democrats. Republicans need a win. So far, 2001 doesn't look like a great year for them. The Republican candidate didn't make the runoff in the Los Angeles mayor's race. The GOP nominee in the Virginia governor's race, Mark Earley, trails his lavishly financed Democratic foe, Mark Warner. Republican chances in the New Jersey governor's contest are iffy, and the prospects for holding the New York City mayor's office are poor. The House seat in Virginia, which became vacant when 18-year incumbent Democrat Norman Sisisky died in March, is the GOP's best shot, but it's not much better than 50-50.

Republicans in Washington have made the race a top priority. Calls from Karl Rove, President Bush's chief political adviser, and from nearly every senior Republican in Virginia persuaded state senator Randy Forbes to abandon his bid for lieutenant governor and run for the House. "The president asked me to call," Rove told Forbes. "We feel this is a crucial seat." In recent weeks, Vice President Dick Cheney and House speaker Dennis Hastert have been dispatched to stump for Forbes in the district, which sits between Richmond and Norfolk. GOP representative Tom Davis, chairman of the National Republican Congressional Committee, has flooded the district with operatives.

In special elections, Republicans are skilled at maximizing their resources. But there's a problem this time: President Bush. No, the president isn't a dominant issue. Forbes and his Democratic opponent, Louise Lucas, rarely mention him. And Bush hasn't been in office long enough for the race to be a referendum on his presidency. What worries Republicans is history. "The party out of power in the White House has a history of doing well in special elections," notes Davis. That's the Democrats. The GOP victories in 1994 came while Bill Clinton was in the White House. Davis says voters in the out party are more likely to go to the polls in special elections. "Surveys show their voters are more motivated than our voters."

Especially black voters, who make up 37 percent of those registered in the district. Blacks have a further incentive: Lucas is a black Democrat with an inspiring personal story. She

Fred Barnes is executive editor of THE WEEKLY STANDARD.

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grew up in Portsmouth, had a child at 14, and dropped out of high school. By the time she was 20, she had three kids. Then she got into an apprenticeship program at the Norfolk Naval Shipyard and worked there for 18 years. "I learned the value of hard work, dedication, commitment, and stick-to-it-iveness," she said at a debate with Forbes last week. Along the way, she got high school, college, and master's degrees. She was elected to the state senate when a black district was created in Portsmouth in 1991. Davis says he expects black voters to turn out in "great numbers." Forbes has sought black support and won the endorsement of a former Virginia NAACP president, but is getting only 3 percent of the black vote in GOP polls.

Since the same polls show Forbes with a slight lead, he's obviously attracting a large majority of the white vote. So race is a factor. Indeed, the Forbes campaign has accused Lucas of playing the race card. How? By saying in a mail piece that the Bush budget will hurt "6 million minority families"—not much of a race card. Lucas said she'd never seen the mailer, which was sent by the Democratic Congressional Campaign Committee. On the other hand, some Democrats worry that white voters won't vote for a black candidate who hasn't run for Congress before.

Lucas, 57, is running on conventional Democratic issues. She's for Democratic versions of a patients' bill of rights, a Medicare prescription drug benefit, and long-term health care. She's called for a probe of oil and gas companies. She opposes any privatization of Social Security. She's for tax cuts for "working families," once other priorities are met. Forbes has ridiculed her on this. "I had a good friend who had a girlfriend [and] for years he told her he was going to marry her," he said in last week's debate. "He went 15 years and never did because he said he just couldn't find the right ring to give her. Now we hear people say 'I'm for cutting taxes,' 'I'm for lowering taxes.' It's just they never can find the tax they want to cut."

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The Forbes campaign is cookie-cutter Republican. He touts tax cuts and funding for faith-based social services. Lucas calls such funding "a big shell game." Forbes, 49, suggests Lucas is soft on crime (she opposes the death penalty) and zings her for voting in the state senate against requiring schools to recite the Pledge of Allegiance daily. Otherwise, he's for GOP versions of health care proposals, much like Bush. "Randy Forbes knows seniors need help," a Forbes TV ad insists.

The most intriguing issue is Social Security. Forbes favors allowing workers to use a portion of their payroll taxes for private investment accounts, as does Bush. But he says he's against full privatization of Social Security. Lucas says she's "staunchly opposed to any scheme to privatize Social Security," even small investment accounts. More important, Social Security is the issue she's stressing in the final weeks of the campaign. A Democratic television ad claims Forbes would "let Wall Street gamble with seniors' hard-earned retirement money in today's unpredictable stock market." Worse, "experts say Forbes's plan would force deep cuts in monthly Social Security benefits and take nearly a trillion dollars out of the Social Security trust fund."

Should the anti-privatization argument catch on, it could have far-reaching implications. Forbes would be harmed. So might Bush's plan to reform Social Security. And Democrats would surely be encouraged to make Social Security the centerpiece of their campaign in 2002 congressional elections, though they probably don't need much encouragement. Howard Wolfson, the DCCC's executive director, says partial privatization is already unpopular "in Virginia and all over the U.S."

This Virginia district is not a perfect testing ground for the Social Security issue, but it's good enough. It's a swing district. Bush won it last year, but only by a few hundred votes. If Forbes wins, maybe Social Security isn't all that dangerous. If he loses, maybe it is. ♦

The Jersey GOP's Family Feud

The gubernatorial primary is a fight for the soul of the party. BY CHRISTOPHER CALDWELL

Princeton

When Jersey City made a moderate Democrat its first black mayor last week, governor Donald DiFrancesco, a Republican, showed up to congratulate him. "Now Jersey City has a *real* mayor," he said. DiFrancesco was there because the election was read across the state as a defeat for the outgoing mayor, Republican Bret Schundler. Schundler's unorthodox successes in his decade as mayor have made him a star of the national conservative movement, but his name is mud among the New Jersey Republican establishment. Now Schundler wants to replace DiFrancesco as governor and is running against former congressman Bob Franks in the GOP primary on June 26.

Schundler's people think a lot of Republican bigwigs would rather see Democrat Jim McGreevey in office than Schundler—and they're right.

Schundler had already announced his run when Christine Todd Whitman stepped down as governor in January to run the Environmental Protection Agency for George W. Bush. DiFrancesco, then president of the state Senate, became acting governor for the final year of Whitman's term. DiFrancesco was already the most powerful Republican in the state. Adding the power of the governorship to his Senate position (which he got to keep) made him a prohibitive favorite for the primary. Then the *New York Times* published allegations that DiFrancesco had accepted loans from favored constituents, and suddenly he was out of the race. His allies attributed the stories either to Schundler himself or his supporters in New Jersey's powerful gun lobby.

It appeared Schundler had the nomination by default. But on April 23, the GOP-controlled New Jersey legislature met to delay the primary by three weeks, increase campaign spending limits from $3.8 million to $5.9 million, and extend the filing deadline, which had already expired. The moves were necessary, Republicans claimed, because several redrawn assembly districts had yet to be finalized.

That was true. But the effect was to open the field to Bob Franks, a former congressman and senatorial nominee and DiFrancesco's old comrade-in-arms. Shortly after April 25, when DiFrancesco bowed out officially, Franks had the endorsement of 19 of 21 county Republican chairmen and a double-digit lead in the polls. Schundler sued, claiming that the changes had been merely a trick to hand the race to Franks. Courts rejected his lawsuit, along with one filed by New Jersey Democrats.

This would be a gripping primary under any circumstances. But add each candidate's heartfelt conviction that the other has tried to sandbag him, and you have the makings of one of the meanest New Jersey campaigns in decades.

Franks launched his run by styling himself an "outsider." That didn't take. It was a ridiculous description for a man who had been a leader of the state's Young Republicans in his teens, a powerful assemblyman in his

Christopher Caldwell is senior writer at The Weekly Standard.

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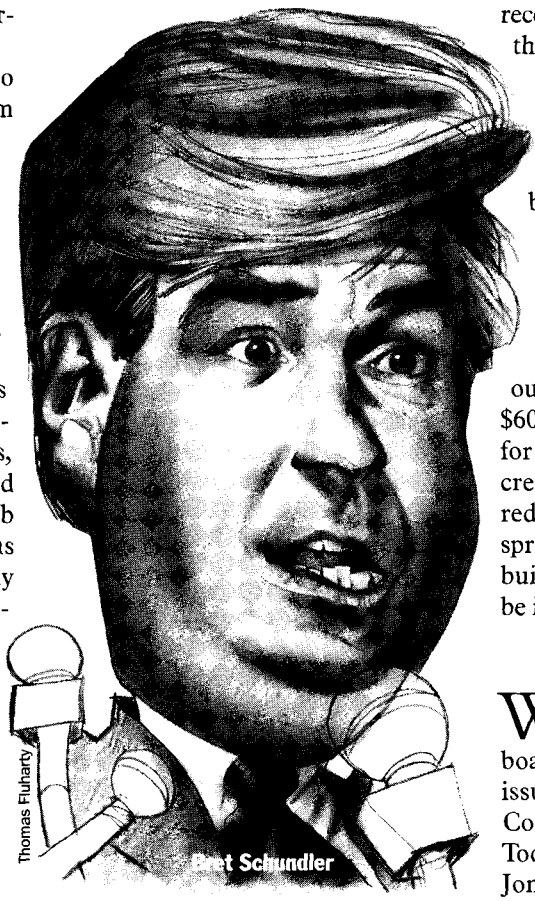
twenties, GOP governor Tom Kean's legislative field-marshal (and state chairman of the party) in his thirties, a four-term congressman in his forties, and last fall, on the eve of his fifties, a Senate candidate just narrowly defeated by billionaire Democrat Jon Corzine, who outspent him ten-to-one. That run got Franks name recognition all over the state. While he was expected to run for Senate again in 2002 against Robert Torricelli, he leapt at the chance to make a bid for New Jersey's powerful governorship.

Schundler, meanwhile, tried to yoke Franks to DiFrancesco, whom he calls Franks's "political patron." That didn't take, either. Not that Franks and DiFrancesco hadn't worked together often—and on plenty of initiatives, like the overturning of Democratic governor Jim Florio's tax hikes in the early 1990s, that Schundler could hardly deplore.

Schundler himself is running as the heir to Ronald Reagan, on a platform of lower taxes, school vouchers, and opposition to gun control and abortion. He assails "people like Bob Franks, who've been Republicans their whole life but have never really been willing to support what the party stands for." It's true, Franks staffers note, that their candidate is pro-choice and opposed George W. Bush's tax plan when it was first announced last fall. But they add that when Franks was working for Ronald Reagan in 1980, Schundler was a college Democrat. When Franks was working for Ronald Reagan in 1984, Schundler was working for Gary Hart.

Like Reagan, Schundler presents his positions as the soul of simplicity; his detractors view them as simplistic and even dishonest. The tollbooths on the Garden State Parkway—where, every ten or fifteen miles, 35-cent collection stations create legendary traffic jams—have been a centerpiece of his campaign. Schundler thinks these tolls are a bad idea, since the state spends $80 million to collect the $190 million they generate. His position: Eliminate the tolls. Franks's position is more convoluted. "I think it's foolhardy," Franks explained at a recent press conference in Freehold, "to be able to make that commitment if you can't back it up with a solid analysis that not only the operating and maintenance costs of the parkway can be absorbed into the state budget but also the $600 million aggregate debt of the New Jersey Highway Authority plus the $200 million that the Highway Authority has pledged to contribute to


Thomas Fluharty
Bret Schundler

the regional E-ZPass consortium." Franks would prefer to eliminate the tolls, but he wants a commission, a study, and a list of alternatives.

"Bob Franks refuses to engage in over-simple solutions," says his campaign manager Charlie Smith. True. It's also true that a lot of Franks's wonkery comes from a vastly deeper knowledge of the gearworks of New Jersey's state government. But over-simple candidates tend to win arguments, and in general Schundler is driving the policy debate. As he says, "Tolls are going to come down because of Bret Schundler." (Each candidate has the annoying habit of referring to himself in the third person.) "That is, if I win, tolls come down, if I lose we get high-speed E-ZPass." Schundler has bested Franks in the public forums where they've appeared: on Sean Hannity's call-in radio show in New York, at a meeting of the Sussex County Republicans last week, and at the first of four scheduled television debates, recorded on June 7 for broadcast over the weekend.

But that doesn't mean Schundler's policies are resonating with voters. If they're simple in their enunciation they're baroque in their implications. He's confusing people. Schundler has a faith (bizarrely reminiscent of Hillary Clinton) that each little micro-initiative will unleash a Rube Goldberg cascade of happy outcomes. For instance, he wants a $600 million state income tax credit for charitable donations. That will create money for school choice, reduce classroom crowding, stop sprawl (since schools won't have to be built), and lower property taxes, *and* be immune to lawsuits.

When he announced his candidacy two months ago, Franks boasted of having run a "positive, issue-oriented campaign" against Corzine last fall—which he had. Today he even refers to "my friend Jon Corzine." But this is a different kind of election. Each candidate is using the airwaves to distort the other's record as far as possible. Franks has claimed that Schundler raised Jersey City property taxes 79 percent since 1994. That's true only if you ignore that 1994 was a 7-month year—because of a tax holiday that was made possible by Schundler's admirable sell-off of the city's liens. Schundler's ads are equally preposterous, using pro-forma votes to accuse Franks of voting with Democratic governor Florio 90 percent of the time; splitting up spending from the

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New Jersey Assembly and Congress into their constituent parts to claim that Franks "voted to raise your taxes 120 times"; and calling Franks "one of the ten most liberal Republicans in Congress," which is absurd.

On the wall of Bob Franks's office, his campaign manager, Charlie Smith, keeps a map colored in with Hi-Liters, showing the percentage of the primary vote that went to moderates and conservatives in statewide elections in 1993, 1994, 1996, and 2000. Whether or not this is actually a race between moderates and conservatives, Smith hopes it is. It's easy to see why. Since the Carter malaise of 1978, when insurgent conservative Jeffrey Bell beat incumbent Clifford Case in a Senate primary, moderate Republicans have tended to pick up roughly two thirds of the vote.

And this is a state far to the left of the one Bell ran in. Ultimately, Franks stands a chance of beating McGreevey in the fall while Schundler—once guns and abortion make their inevitable appearance in campaign ads—stands none. And it's an open question whether a candidate of Schundler's sort could, if elected, even run a state like New Jersey. Schundler faces a paradox. He favors "local control," but the machine political structures he derides *are* local control in this state. What happens, for instance, if a rich community wants to opt out of a statewide voucher plan? A Schundler governorship would find itself trapped in the sort of paradox Margaret Thatcher did, and responding in the same way—obliterating local power structures in the name of making government more representative, ruling from the center while paying lip service to local autonomy.

To say that this is a race between the machine candidate Franks and the activist candidate Schundler is true as far as it goes. But it doesn't go far. There is an important battle going on in New Jersey right now, but it's not so much between two candidates for governor as between local and national wings for control of the Republican party. ♦

The Florida Travesty, Cont.

The Civil Rights Commission releases a draft report of its findings. BY JENNIFER C. BRACERAS

THERE THEY GO AGAIN. In releasing their draft report on last year's presidential election in Florida, the majority members of the United States Commission on Civil Rights have once again put their political biases on display.

Earlier this year, the Commission heard three days of testimony regarding so-called voting "irregularities" in the November election. The hearings were an Alice-in-Wonderland-like spectacle, in which commissioner Christopher Edley demanded a "confession" from Florida election officials before even a fraction of the evidence had been received, and Commission chairman and left-wing provocateur Mary Frances Berry declared that the utter dearth of discrimination claims received by Florida officials constituted proof positive that discrimination had taken place.

Four months later, the Commission has put together a brazenly biased document designed to substantiate Chairman Berry's preconceived view—held in spite of evidence to the contrary—that African-American voters were disenfranchised in Florida last November.

The politicization of the report is obvious from the fact that it was leaked to the *Washington Post* before either of the two Republican-appointed commissioners had seen it or been briefed on its contents. Commissioners are supposed to review and comment on reports before the Commission votes to approve them. Yet when commissioner Russell Redenbaugh requested that Mary Frances Berry send him a copy of the report, he received no response. Abigail Thernstrom, the only registered Republican on the Commission, learned that the report had been completed only when she received a telephone call from a reporter seeking her comments on the document.

It is, of course, ironic that an organization which concerns itself with voting "irregularities" would operate with so little regard for orderly process and fairness. But this "procedural travesty," as Commissioner Thernstrom calls it, is only half the story. The biggest problem with the Commission's report is its substance.

The document is an Orwellian exercise in distortions and half-truths. Put simply, the report's conclusion that minority voters were the victims of discrimination in Florida's November election has no basis in fact.

To begin with, the Commission's conclusion that black voters were nine times as likely as whites to have their votes discarded is based on an inappropriate statistical comparison of the percentage of spoiled ballots in each county with the percentage of African Americans residing in that county. (Ballots, of course, do not identify the race of the voter, so it is only through speculation and rough use of statistics that the Commission can make such a claim at all.)

Even assuming, however, that black voters were more likely than white voters to have their ballots discarded, this alone would point nowhere. The critical question—which this report makes no serious attempt to answer—would be why this had occurred. The report irre-

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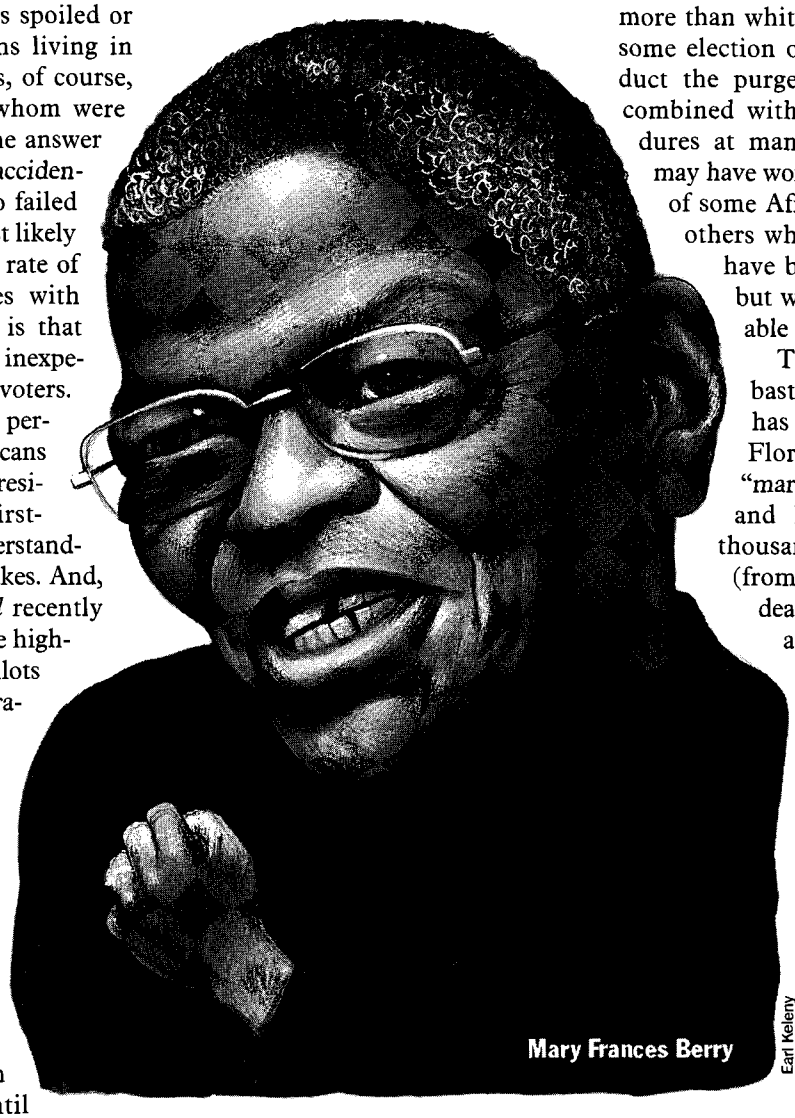
sponsibly implies that the reason is related to race. But it makes no attempt to explain how race might have played any role in the disqualification of anonymous ballots.

Rather than rely on evidence, the report simply uses the passive voice to suggest official mischief where there is only voter error. Thus, it states that *persons living in counties with high* minority populations "were more likely to have their votes spoiled or discounted" than persons living in the rest of Florida. This, of course, begs the question: By whom were these ballots spoiled? The answer *is that they were spoiled, accidentally*, by individuals who failed to vote correctly. The most likely explanation for the high rate of spoilage in communities with large black populations is that many of these voters were inexperienced and uneducated voters. Indeed, approximately 40 percent of the African Americans who voted in Florida's presidential election were first-time voters, who are understandably prone to make mistakes. And, as the *Wall Street Journal* recently noted, the county with the highest number of spoiled ballots also has the highest illiteracy rate.

The report's criticisms of Florida governor Jeb Bush and Florida secretary of state Katherine Harris are likewise without merit. The report chastises Bush and Harris for failing to standardize Florida's voting mechanisms prior to Election Day. Yet state law, until recently, gave the governor and secretary of state little control over how elections are run in Florida's 67 counties. Had it given them more control, imagine the outcry and charges of election tampering that these same critics would have levied if the brother of the Republican presidential candidate and the Republican secretary of state had actually tried to centralize voting procedures statewide before the election! After complaining about Florida's decentralized process, the Berry majority on the Commission refuses to give Florida officials any credit for significantly overhauling its election system in 2001 to establish uniform standards for voting and recounts and reduce many of the *technical problems that arose in* Florida last year.



Mary Frances Berry

Earl Keleny

Perhaps the document's most compelling charge is its claim that over 1,000 eligible voters were erroneously purged from the voter rolls as ineligible felons. Florida law prohibits felons from voting and requires election officials periodically to purge the voter lists of ineligible voters in order to prevent fraud. The felon lists used in the 2000 election were compiled by Database Technologies, Inc., which purposely created an over-inclusive *list, on the theory that local election* supervisors would bear responsibility for pruning the list and confirming the data. The fact that local election officials failed in this task hardly indicates a conspiracy to keep minorities from the polls.

An overbroad purge in some counties may indeed have affected blacks more than whites. But the failure of some election officials to even conduct the purge (required by law), combined with lax security procedures at many polling precincts, may have worked to the advantage of some African Americans and others who should not legally have been allowed to vote, but who nevertheless were able to cast ballots.

The *Miami Herald*, no bastion of conservatism, has reported that the Florida election was "marred by illegal voting," and has concluded that thousands of illegal ballots (from ineligible felons, dead people, people who are not residents of Florida, and people who had already voted) were cast in this closest of presidential elections. Yet the Commission has the audacity to claim that fraud was not an issue last November and that only efforts to prevent it proved problematic.

Chairman Berry has publicly called upon the U.S. Department of Justice to investigate whether Florida election officials violated federal civil rights laws last November. And Democratic members of the Senate Judiciary Committee have extracted promises from Justice Department officials to investigate any credible allegations of disenfranchisement. This report provides none. ♦

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Knock Off the Cloning

Congress debates the hows and whys of a ban.

BY ERIC COHEN

AFTER A FAILED EFFORT to ban human cloning in 1998, Congress has taken up the issue once again. There have been hearings in both the House and the Senate, testimony from fertility doctors and cult leaders who want to clone human beings, and heavy rhetoric about the coming of a Brave New World.

In the coming legislative showdown over how—or whether—to ban human cloning, there are two basic alternatives. The first is the Weldon-Brownback bill, which would ban the cloning of human embryos no matter the purpose, while still allowing some forms of scientific research, like "cloning DNA molecules" and "duplicating stem cells." A much looser approach, favored by the Biotechnology Industry Organization (BIO) and Representative James Greenwood, would ban "reproductive cloning"—the creation of cloned embryos with the intention of bringing them to birth. But it would allow "therapeutic cloning"—the creation of cloned human embryos that can be used for research so long as they are eventually destroyed.

All the action, for now, is in the House. The Democratic Senate does not see this as a top priority. Presidential spokesman Ari Fleischer, in a March press conference, said President Bush "believes that no research—no research—to create a human being should take place" and "he opposes it on moral grounds." But the Bush administration—still in bureaucratic limbo over whether to fund federal research on embryonic stem cells—has put little pressure on members of Congress to take decisive action against human cloning. And Fleischer's statements can be construed to support either Weldon-Brownback or BIO-Greenwood.

Meantime in the House, there is a battle brewing. This March, Greenwood, a five-term Republican from the Philadelphia suburbs, chaired the first Bush-era hearings on human cloning in the Energy and Commerce Committee's Oversight and Investigations Subcommittee. Greenwood's rhetoric was impressive—mixing quotations from Aldous Huxley, Shakespeare, and G. K. Chesterton with pleas for caution "before we open the floodgates to a new kind of human being."

But Greenwood is, in this debate, the biotech industry's man. In 1998, he won BIO's award as "Legislator of the Year." And while BIO would prefer a "moratorium" on reproductive cloning to an outright ban, the biotech industry seems likely to embrace any "pro-therapeutic cloning" legislation that Greenwood puts forward.

In the meantime, Dave Weldon, a Republican from Florida and a practicing physician, has gathered over 100 cosponsors, including 18 Democrats, for the Human Cloning Prohibition Act, which is being pushed by Sam Brownback, a Kansas Republican, in the Senate. The case for the bill—both that cloning threatens human nature and human dignity and that in order to stop "reproductive cloning" Congress must stop all embryonic cloning—is made most eloquently by bioethicist Leon Kass, who testified last week before the Judiciary Committee:

> This is not an issue of pro-life vs. pro-choice. It is not about death and destruction or about a woman's right to choose. It is only and emphatically an issue of baby-design and manufacture, the opening skirmish of a long battle against eugenics and against a "post-human" future. Once embryonic clones are produced in laboratories, the eugenic revolution will have begun. And we shall have lost our best chance to do anything about it and to assume responsible control over where biotechnology is taking us.

The Weldon bill itself lays out in great detail the case for a comprehensive ban on cloning: A world of therapeutic cloning would mean the multiplication in laboratories of endless numbers of cloned embryos. At the same time, the in-vitro fertilization industry is completely unregulated. Implantation of an embryo in the womb is both a simple and completely private procedure, protected under the doctor-patient relationship. And

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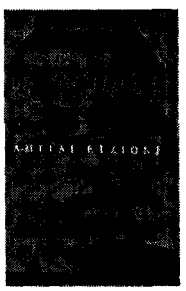

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once an embryo were implanted, there would be no way to enforce a ban on reproductive cloning short of forced abortion.

A few weeks ago, the House leadership held a private meeting to decide on a strategy for moving a ban on human cloning to the floor—and, more significantly, on which ban to move. The meeting included Dick Armey, Tom DeLay, James Sensenbrenner (chairman of the Judiciary Committee), Billy Tauzin (chairman of the Energy and Commerce Committee), Greenwood, and Weldon. Armey, a leader in the effort to ban cloning in 1998, threw his weight behind the Weldon bill. He called for another round of hearings in the Judiciary Committee (which began last Thursday and included Kass's testimony), with the intention of moving the Weldon bill (or its equivalent) to the floor for a vote "by August, hopefully earlier."

The Weldon bill has support from across the ideological and political spectrum. Daniel Callahan of the Hastings Center, the godfather of modern bioethics, testified at Thursday's Judiciary Committee hearing in favor of the Weldon bill—endorsing the logic that to stop human cloning Congress must move to stop it from the beginning, "with draconian measures" if necessary. The Progressive Caucus, chaired by Democrat Dennis Kucinich of Ohio, has organized a Hill briefing later this week that will bring together "environmental, feminist, and social justice leaders" to make "the progressive case against human cloning."

President Bush, meanwhile, is feeling pressure from social conservatives to move more decisively. Last week, seven conservative leaders (including Charles Colson, William Bennett, James Dobson, and William Kristol) sent a letter to the president stating "our deep concern about the imminent threat to human life and dignity posed by the emerging reality of human cloning, and to urgently ask for your assistance and leadership to counter this threat." Top Bush aide Karl Rove and members of the Bush speechwriting office have met privately with conservative intellectuals to discuss pending anti-cloning legislation, as well as the possibility of doing a major presidential address on bioethics.

Bush is poised to act. House leaders want him to weigh in. As Weldon told me, "In a debate like this, there are always people who could go either way. There are fence-sitters. There are people who don't fully grasp the scientific issues involved. If the president came out forcefully, it could be very helpful."

This is especially true given that Greenwood still has every intention of offering his pro-therapeutic, anti-reproductive cloning legislation and fighting the Weldon bill in committee and on the floor. If the 1998 debate is a preview, the biotech lobby will try to repeat its success by casting the Weldon bill as a threat to everything from in-vitro fertilization to stem-cell research to reproductive rights. But "this is not about abortion rights," says Andrew Kimbrell, co-organizer of the upcoming Progressive Caucus briefing and executive director of the left-leaning International Center for Technology Assessment. "If anything, cloning is anti-choice. Once we do it, we may not be able to control who does it to us."

What could decide the issue this time is a move by the White House. Proponents of a total ban are, as Weldon said, "cautiously optimistic." Bush has championed the "culture of life" in speeches and—by halting federally funded research on human embryos, at least for now—shown a willingness to face down the scientific research establishment. The key may be whether he can succeed in separating the politics of cloning from the politics of abortion, and thereby create a conservative-progressive coalition for a cloning ban. Such an alliance would seek to head off the worst nightmares of the new genetics, and would have as its common moral ground reverence for nature and protection of the powerless from the powerful.

Perhaps unique among the issues before this Congress, cloning does not leave a lot of room for compromise and tradeoffs. The technical advances in the field are such that the first human clones may be among us in a matter of years, not decades. President Bush and Congress will either take this opportunity to set the moral speed limit for the genetic age, or they will allow events to overtake—and perhaps eventually remake—us all. ♦

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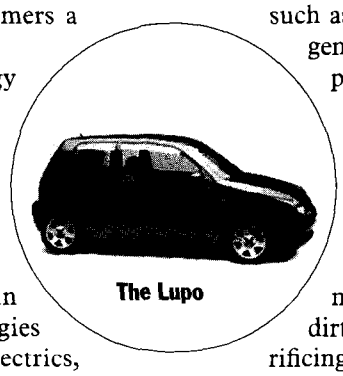
Anything but Diesel

The government anathematizes the most efficient engines around. BY HENRY PAYNE AND DIANE KATZ

IT'S CUTE, IT'S HIGH-TECH, it seats four, it gets a world-best 77 miles to the gallon—and Americans can't have it.

The Volkswagen Lupo 3L TDI is already saving fuel on European roads, but it won't qualify for any of the $4 billion in subsidies for "alternative-fuel vehicles" in the Bush administration's new energy plan. Why not? Because federal regulators and the environmental lobby frown on its technology—diesel power. This is unfortunate, because the availability of diesel cars—which have captured 32 percent of Europe's new car market—could give efficiency-conscious American consumers a real choice.

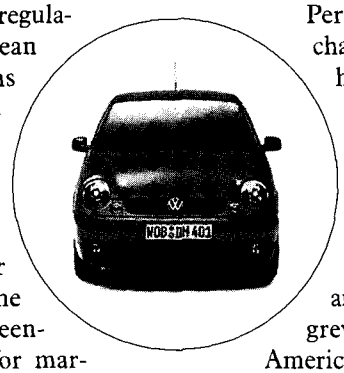
According to Energy secretary Spencer Abraham, auto mileage of 60 miles per gallon is possible in the United States—but only through massive government investment in experimental technologies like battery-powered electrics, fuel cells, and electric-gasoline hybrid engines.



The Lupo

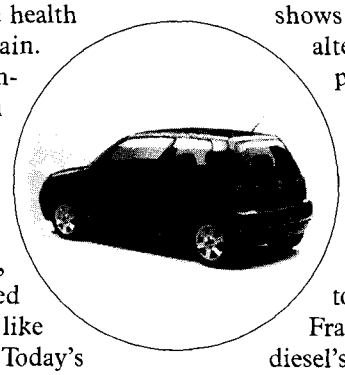
But several diesel passenger models easily attain 60 mpg or better, surpassing gas/electric hybrids like the Honda Insight and Toyota Prius—at lower cost, and with negligible emissions of "greenhouse" gases. Moreover, gas stations for diesel cars are already in place—unlike the infrastructure needed for electric or hydrogen-powered fuel cells. So why is the Bush administration intent on squandering taxpayer dollars to reinvent the wheel?

One reason is the difference in political agendas between American environmentalists and regulators and their European peers. European greens have embraced diesel as the most practical solution to reduce greenhouse-gas emissions. American greens, on the other hand, refuse to accept the trade-off of fewer greenhouse-gas emissions for marginally higher levels of emissions such as smog-forming nitrogen oxides (Nox) and soot particles. The higher heat of diesel combustion yields more Nox and soot than does a conventional engine.



"We discourage diesels because they may get you a quick and dirty fix, but you'll be sacrificing our lungs," says Ann Mesnikoff, the Sierra Club's Washington representative for global warming.

But the extent of the health risk is highly uncertain. The data the Environmental Protection Agency marshals to justify its diesel crackdown are hopelessly dated—reaching back 50 years in some cases, when diesels spewed black clouds of exhaust like chugging locomotives. Today's models emit 63 percent less Nox and 83 percent less soot than their predecessors.



No matter. The EPA has crafted strict new emissions requirements to take effect in 2004. Automakers admit they're puzzled about how to comply. These higher standards would be much easier to meet if the sulfur content of diesel fuel were reduced, as it is in Europe. But the EPA's new fuel-sulfur limits are not mandated to take effect until 2006—well after the deadline for automakers to comply with the more stringent emissions requirements. Consequently, engineers will be forced to redesign diesel technology twice.

Perhaps signaling a legal challenge, General Motors has requested that the EPA revise its deadlines to allow diesels to take hold here. Analysts estimate that if these regulatory barriers were overcome and diesel's market share grew to European levels, American petroleum consumption would decline by some 345,000 barrels a day.

This assumes that a large number of Americans would find the diesel option attractive in a market where gas prices are half those in Europe. European pump prices frequently top $4 a gallon, which has driven auto industry competition for fuel-efficient models. Among the options offered, diesel is the most reliable, affordable, and efficient by far. Six of the eight most gas-stingy models in Germany are powered by diesel engines.

But the European experience also shows how difficult it is for alternative fuels to compete with the extraordinary performance of gasoline engines. Having taxed fuel excessively, European regulators offer huge tax incentives for customers to buy diesels. In France, for example, where diesel's market penetration is over 50 percent, taxes drive gasoline prices to nearly $4 a gallon, while diesel—exempt from most of the

Henry Payne is editorial cartoonist for the Detroit News *and a freelance writer. Diane Katz is an editorial writer for the* News.

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same taxes—can be had for "only" $2.80 a gallon. In Germany, federal tax credits help ease the sticker shock of the Lupo's sophisticated diesel technology (priced 30 percent higher than the competition). Even so, the Lupo remains a low-volume seller.

Still, Europe's average gas mileage on all its vehicles is much higher than America's because European diesels are selling in virtually every model segment, from luxurious Audi and Peugeot turbo-charged diesels to the tiny MCC Smart. In the United States, only Volkswagen bothers to offer a diesel-powered passenger vehicle, even though diesel engines move 94 percent of all American freight, 65 percent of farm machinery, and nearly all heavy construction equipment. Gas prices here may well remain too low to trigger demand for more passenger diesels. We won't know for sure until we remove the regulatory hurdles that effectively prohibit diesel availability.

But rather than eliminate these regulatory roadblocks or tackle the thorny political issue of gas taxes, the Bush administration has chosen to pander to the environmental lobby by subsidizing headline-grabbing alternative fuels that are more expensive than diesel and have even less chance of selling well. Missing from the president's proposals is any mention of diesel. Instead, the White House is staying mum on fuel efficiency while it "studies" the matter and awaits next month's National Academy of Sciences report on corporate average fuel economy standards (CAFE). Meanwhile, congressional Democrats are threatening to raise CAFE gas mileage standards for SUVs and other trucks—standards that would be much easier for car manufacturers to meet if they could use diesel engines.

Absent government meddling, consumers practice conservation when they have an economic incentive to do so. Unless the Bush administration and Congress eliminate the regulatory barriers to mass production of diesels, Americans will be limited in their ability to exercise that choice. ♦

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The Tragedy of Racial Profiling

It's unjust—and it works.

By William Tucker

New York

Last week, Hillary Rodham Clinton joined a growing chorus of lawmakers in calling for a federal ban on racial profiling. "Profiling is not an effective law enforcement tool," said New York's junior senator. "The vast majority of African Americans and Hispanics who are stopped or searched have committed no crime." As this movement gathers steam, it's worth recalling one of the incidents that fueled the debate.

In November 1999, Academy Award-winning actor Danny Glover came to New York and found he couldn't get a taxicab. Angry, he called a press conference the next day to denounce "racial profiling." Within hours the New York *Daily News* was inundated with faxes and letters from middle-class blacks complaining of similar problems. Makeup artist Donyale McRae, cousin of the late jazz singer Carmen McRae, said he could not get a taxi while dressed in a tuxedo after attending the Grammy Awards at Radio City Music Hall. "I can hail a cab until I'm blue in the face," complained a 62-year-old publishing executive. "They will not stop."

Al Sharpton promptly filed a class action against the Taxi and Limousine Commission. Former mayor David Dinkins chided mayor Rudolph Giuliani for not doing his job. The *New York Times*—acknowledging that most of the drivers are immigrants—concluded: "Racism is perpetuated by cabbies whose attitudes have roots . . . in colonial rule." The drivers themselves claimed not to be bigots but admitted to racial profiling. Their defense was that they were justified in making race-based assumptions, because African Americans were more likely to take them into bad neighborhoods, rob them, or beat them for the fare. Giuliani sent undercover officers into the neighborhoods to catch the cabbies in the act, and several drivers—all from the Middle East or East Asia—were arrested.

Then another trend began. Within weeks of Glover's press conference, a string of cab drivers were killed by passengers. Two were murdered in November and December and two more in early 2000. When a 48-year-old Venezuelan immigrant, the father of five, was shot in his cab on February 24, police commissioner Howard Safir announced the formation of a special task force to investigate what the *Daily News* called the "wave of killings."

Meeting with police in Manhattan, 400 drivers agreed to allow police to stop cabs in traffic at any time to make sure they were not in trouble. Research showed that while only 22 licensed cab drivers, who operate mainly in midtown Manhattan, had been killed over the last decade, 230 livery drivers—who operate in poorer neighborhoods—had been victimized. By March the "profiling police" were forgotten. Instead undercover officers were posing as livery drivers in East New York and the South Bronx. Even so, during two particularly grim weeks in April, four more drivers were murdered. During the first five months of 2000 ten drivers were killed—one more than in all of 1999. Not until the city government spent $7 million helping livery services install bulletproof partitions or security cameras in their cars did the attacks subside.

Now, it's impossible to prove that the crackdown on "racial profiling" by cabbies led to the subsequent crime wave, but the sequence is suggestive. Though infuriating to honest customers, the cabbies' discrimination is not irrational. And the effort to stamp it out adds to the danger of driving a cab. This is a cautionary tale for those who would outlaw racial profiling by police. Because the evidence suggests, for all that good liberals like Hillary Clinton want to believe otherwise, that racial profiling *is* an effective law enforcement tool, though it undeniably visits indignity on the innocent.

Indeed, racial profiling is a predictable outcome of the stepped-up law enforcement of the 1990s. Violent crime rates have fallen in the last decade as in no other period in American history. In 1991 there were 24,700 murders in

William Tucker is a writer living in Brooklyn. His most recent article for The Weekly Standard *was "The Myth of Alternative Energy" (May 21, 2001).*

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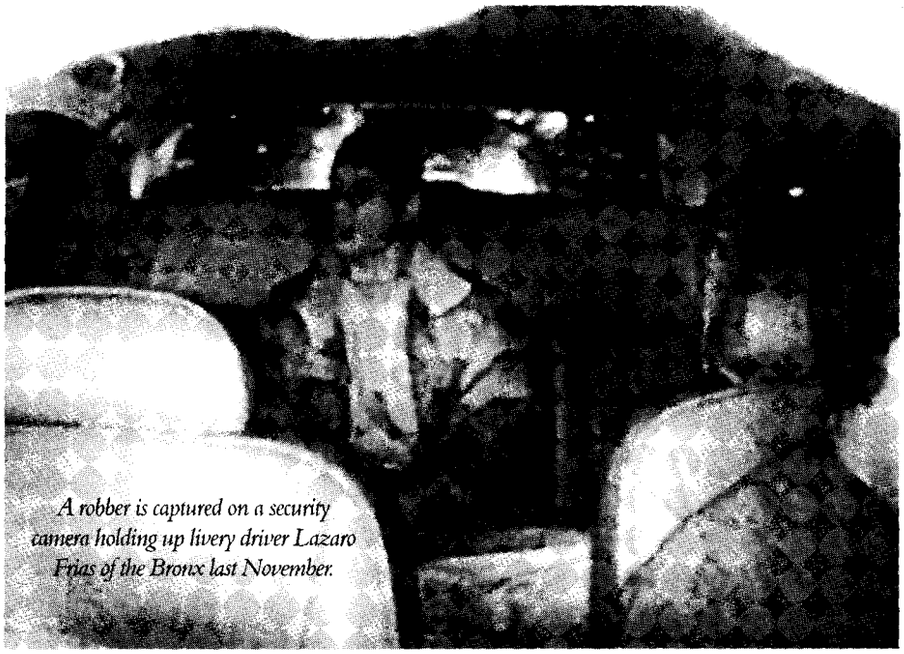

A robber is captured on a security camera holding up livery driver Lazaro Frias of the Bronx last November.

America. In 1999 there were 15,530 with a larger population. There are no doubt a number of factors at work, but one obvious one is the new style of law enforcement, pioneered in New York, where police seek to control "disorder" as well as crime. An outgrowth of George Kelling and James Q. Wilson's "broken windows" theory of the importance of public order, this labor intensive policing of the streets is effective, but intrusive. And it is unfortunately law-abiding blacks who often get caught in the crossfire. Those stories about well-dressed corporate lawyers being stopped for walking through their own suburban neighborhoods or "driving while black" are true. A few months ago I discovered a burglar in the living room of our Brooklyn home. After I ushered him out the door, the police arrived and began driving me around the neighborhood looking for the suspect. Halfway down the block, the detective started shouting, "Is that him? Is that him?" He was pointing to my friend and neighbor, a gray-haired 55-year-old black man who is president of our block association.

Police officers usually come from working class backgrounds and seem unable to make distinctions between street criminals and middle-class blacks. Instead of using race as one of a number of cues, they over-generalize. Obviously, there is room for improvement. Yet the key questions remain: Are the police justified in paying more attention to blacks as potential criminal suspects? And will a broad-brush campaign against racial profiling undo the progress made against crime over the last ten years?

Downplaying this dilemma, liberals simply assert that the perception of black overrepresentation in crime is a result of "racial profiling." New York State attorney general Eliot Spitzer issued a 1999 report concluding that blacks and Hispanics were "disproportionately represented" in 10,000 stop-and-frisks by New York City police. Disproportionate to what he didn't specify. Blacks constitute 44 percent of the population and were 49 percent of those stopped and frisked. They were also identified by the victims as perpetrators in 60 percent of all street crimes and constituted 55 percent of those arrested. From these numbers, you can more accurately argue that blacks were underrepresented in stop-and-frisks.

Writing for the *New York Times*, David Cole and John Lamberth, two of the leading spokesmen on "racial profiling," argue that, "even on its own terms, racial profiling doesn't work." As proof they note that "73 percent of those stopped and searched on a [Maryland] section of Interstate 95 were black, yet state police reported that equal percentages of the whites and blacks who were searched, statewide, had drugs or other contraband." Yet these equal arrest percentages are prima facie evidence that the police were doing their jobs fairly. If they were mistaken in their assumptions about black drivers, there should have been a lower percentage of arrests among the blacks searched.

In December, former attorney general Janet Reno stopped the first federal execution in almost 30 years when she and former president Bill Clinton became concerned that the killer, drug kingpin Juan Raul Garza, was subject to discrimination because of anti-Hispanic racial profiling. Yet the federal statute under which Garza was tried applies to murders committed by drug dealers, and law enforcement officers up and down the line agree that the drug trade is now controlled by African-American, Caribbean, and Latin American groups. As Heather Mac Donald noted in her seminal work on racial profiling in the Manhattan Institute's *City Journal*: "The notion that there are lots of heavy-duty white dealers sneaking by

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undetected contradicts the street experience of just about every narcotics cop you will ever to talk to." (Garza is scheduled to be executed June 19, but there will probably be another stay as the Justice Department continues its investigation.) Meanwhile the American Civil Liberties Union and the NAACP want to abolish capital punishment altogether because 43 percent of the people on death row are black. Yet blacks committed 52 percent of the murders in America over the past quarter century and are arguably *under*represented on death row—for reasons we'll see in a minute.

Discussions of racial profiling almost inevitably are based on an assertion that racial and ethnic groups should be subject to procedures in the criminal justice system based on their *representation in the population* rather than by the *number of crimes they commit.* But the justice system is not the House of Representatives. There is no constitutional guarantee of equal representation in the criminal dockets. Blacks are overrepresented for one simple reason—they commit many crimes at multiples above other racial groups. This propensity toward violent crime is probably the nation's number one social problem. Yet liberals, out of either willful naiveté or chutzpah, choose to pretend it doesn't exist. Senator Robert Torricelli, for instance, made this claim at the confirmation hearings of attorney general John Ashcroft: "Statistically, it cannot be borne out that certain ethnic or racial groups disproportionately commit crimes. They do not." It would be interesting to know where he is getting his statistics.

Here are some of the ones he apparently is not familiar with. Murder is a common barometer for violent crime because it is nearly always reported. The homicide rate in America in 1999 was 5.7 per 100,000, more than three times the rate of other industrialized countries. The figure has dropped from 9.8 per 100,000 in 1991, and has not been this low since 1966.

Yet these national figures mask an extraordinary differential between black and white homicide rates. In 1999, the murder rate for white offenders was 3.5 per 100,000—double that of some European countries. The rate among blacks was 25.5, seven times the white rate. In 1991, the disparity was even greater—5.7 for whites and 50.4 for blacks. The victimization rate is similarly disproportionate. A young black male living in Detroit or the District of Columbia from age 16 to 25 is half as likely to "die in combat" as was a U.S. soldier during World War II. While murder rates among whites have been in a slight but steady decline over the past 20 years, murder rates among blacks have fluctuated wildly. Indeed, the dramatic rise and fall of murder rates over the past 25 years is almost entirely a reflection of black crime rates.

The figures for other violent crimes reflect the same pattern. While only 13 percent of the population, blacks commit 46 percent of all robberies and 21 percent of rapes. The victims of rape and armed robbery survive, and reports of the racial identity of the offender are highly reliable. Blacks are arrested for rape and robbery in the same proportions, indicating there is no bias in the system. More than 68 percent of all crimes of violence occur among blacks. The term "among blacks" is very precise. Interracial crimes usually get more press coverage, but that's because they are less common. More than 85 percent of murders are intraracial. Black-on-black killings are 42 percent of all killings, while white-on-white killings are 46 percent. Only 15 percent of white victims were

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murdered by blacks, and only 6 percent of black victims were murdered by whites.

It has been argued that whites do not have to resort to violence, and that they commit their crimes in a white-collar venue. "Some will rob you with a six-gun, some with a fountain pen," as the old song goes. But this turns out to be untrue as well. Although underrepresented in the white-collar work force, blacks commit more than 30 percent of all fraud, forgery, and counterfeiting and 25 percent of all embezzlements. In New York City recently, a black office worker was found to be robbing banks on his lunch hour. His coworkers had often remarked on his remarkable resemblance to the "Wanted" pictures they had seen posted in neighborhood banks.

This pattern is so pervasive that people become inured. Here, for example, is a chronicle of all the murders reported in the *Daily News* from a period of one week, chosen randomly by throwing a dart at a calendar (early May, as it happens).

*A 65-year-old black man was killed in Harlem when he was caught in the crossfire between two drug gangs.

*A 42-year-old black man in Brooklyn was stabbed and killed by his black girlfriend.

*A 54-year-old black man in the Bronx shot and killed a 37-year-old black vagrant when he found him vandalizing his car.

*A 17-year-old Hispanic man was charged with beating to death his girlfriend's 2-year-old son.

*An 11-year-old Hispanic girl was raped and killed in her apartment building by a 43-year-old black ex-convict who lived in the next-door apartment.

*A 32-year-old black female livery driver was shot and killed on the job by her Hispanic ex-boyfriend.

*A black Brooklyn teenager was fatally stabbed during a street argument.

*A white woman and two white men were shot execution-style in her apartment in Manhattan during a drug robbery. The woman, who once had a bit part in *Dirty Dancing*, had dealt marijuana for years. Two black ex-convicts were identified as the suspected killers.

*The fire department discovered the body of a black woman in a vacant lot.

*An 80-year-old white woman in Greenwich Village was stabbed to death in her apartment. A few days later, a 28-year-old black female drug addict was arrested. The woman had befriended the drug addict and often let her use her phone.

*A newborn black baby was found dead under the boardwalk at Coney Island. The mother was being sought.

During the same week, the FBI gunned down a 35-year-old Pakistani fugitive in a midtown hotel. The man was wanted for kidnapping a 17-year-old girl in Las Vegas and subsequently killing a man during a carjacking. Also, the daughter of Bronx borough president Fernando Ferrer complained that she had been racially profiled after being stopped for a traffic violation.

Why is racial profiling seen as such a critical issue among all this mayhem? The main reason, I think, is the tendency of any group to externalize evil. It is much more reassuring to perceive violence and evil coming from without than within. Thus, the killing of a single black man by a group of mostly white police officers is remembered years afterwards while the day-to-day mayhem goes virtually unnoticed.

Is there anything that can be done to stem this tide of violence? Continued law enforcement has already brought big dividends. It is an open question whether those dividends will continue in the face of a national crusade against racial profiling. Police are likelier to throw up their hands and tolerate greater disorder than they are to be aggressive and risk accusations of profiling.

But there is one place where the justice system does egregiously and visibly discriminate, and it is overdue for attention by crusaders targeting racial injustice. Studies have shown that prosecutors, judges, and juries are six times *less* likely to impose capital punishment when the murder victim is black rather than white. This probably helps to explain why blacks are six times *more* likely than whites to be murder victims. It is also why black convicts are underrepresented on death row. Most of their murders are committed against other blacks.

During the 1930s, when similar, although less pervasive, violence engulfed Italian neighborhoods, cities often adopted a tacit policy not to lean too heavily on enforcing the law. "They only kill each other" was the byword. As long as killing was confined to other gangsters, the justice system turned a blind eye. Only when the violence spilled into the larger society was it punished. The same principle remains a constant temptation for police today, and the campaign against racial profiling will only encourage it. When blacks kill other blacks, the system is less responsive.

Enforcing the death penalty for *black-on-black* murder would be the best way to break the back of the cycle of violence in black communities. It would also be highly embarrassing. It would explode the myth that violence comes from outside the black community and that bigoted law enforcement or white-on-black crime is the principal problem. More than 85 percent of the additional people put on death row would be black.

It's a painful and difficult decision for liberals and their African-American political allies to face. It's certainly understandable why they prefer to go on hand-wringing over "racial profiling." ♦

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The End of Oslo

Yasser Arafat is an obstacle to peace.

By Tom Rose

Jerusalem

The long-running argument in Washington over Yasser Arafat's responsibility for the terror campaign against Israeli civilians should have been settled on June 2, the day after a Palestinian suicide bomber murdered 20 Israelis, mostly teenage girls, outside a Tel Aviv disco. That day, the Palestinian dictator publicly called for a cease-fire—*for the first time ever*—and by and large the violence ceased, laying bare before the world Arafat's heavy responsibility for creating it. By June 8, as this was being written, the Israeli army was reporting a "significant" reduction in Palestinian terror incidents, justifying the relaxation of some security restrictions imposed on the movement of Palestinians.

With Arafat thus exposed as a deliberate orchestrator of the region's conflict, there is no longer any denying the error at the heart of the Oslo process. In 1993, Israel and the United States consciously chose to resurrect Arafat, discredited by his Gulf War alliance with Saddam Hussein, and make him their interlocutor for peace. Ever since, Washington has operated as if there were only two alternatives in the Middle East, Arafat and war. But for Israelis, the Arafat option *is* war, and as such is untenable. Even Israelis on the left now see this. Defense minister Benjamin Ben Eliezer, a member of the pro-Oslo Labor party, made history of sorts when he said on June 6 of Arafat, "His time is past. For Israel it is time to seek new partners and a new path to peace."

Washington may be slower to recognize this. Indeed, it still clings to a ruinous approach, urging Israel to "exercise restraint" in response to the murderous attack on innocent teenagers, and dispatching yet another high-ranking official, this time CIA director George Tenet, to the region to "talk" to the parties. In so doing, the United States is extending Arafat's life and granting him another chance to plunge the Middle East into war.

For both Israel and its principal ally, it is time to withdraw the mantle of legitimacy from Arafat, to stop funding his police state, and to start thinking beyond Oslo.

Consider: For the past eight months, Arafat has used the tightly controlled media of the Palestinian Authority to unleash a flood of blood-curdling anti-Semitic incitement, urging Palestinians to support ever more brazen acts of terror against Israeli civilians. One spot that aired on Palestinian Authority TV for weeks featured the image of Muhammad al-Durra, the 12-year-old Palestinian boy whose televised death in a firefight between Israeli soldiers and Palestinian gunmen last October shocked the world. In the ad, al-Durra implores other Palestinian children to join him in paradise by becoming child martyrs. The spot was pulled only on June 2, the day after the disco bombing.

Another typical illustration of state-sponsored anti-Semitic incitement was Arafat's personally blaming Israel for the death of Faisal Husseini, a Palestinian Authority official. Husseini, 60, died of a heart attack on May 30 in his Kuwait City hotel room. He had long suffered from asthma and high blood pressure. This could hardly have surprised Palestinians, who have been served a steady diet of anti-Semitic vitriol ever since the United States and Israel gave Arafat his own media empire in 1994. As recently as May, the Palestinian Authority reported that the Israeli Air Force was air-dropping poisoned candy into Palestinian schoolyards and conspiring to destroy Jerusalem's Al-Aksa mosque, for which Arafat's latest war, the "Aksa Intifada," is named.

As history has shown again and again, violent words are the prelude to violent actions. In the last eight months, Arafat's lieutenants and allies have recruited and deployed dozens of suicide bombers, planted hundreds of roadside bombs, and engaged in thousands of shooting attacks. These were all part of a carefully planned, publicly stated strategy—seldom reported outside the Arabic-language press—to kill enough Jews to provoke an Israeli response that would goad Arab states into fighting yet another war against the Jewish state. This war would either succeed in destroying Israel or would serve Palestinian interests by provoking the intervention of an international force that would give legitimacy, aid, and protection to the Palestinians. Thus would the Palestinians secure their goals without having to make the one concession Israel demanded at

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the negotiating table: a formal end to the conflict with Israel and a renunciation of all future claims against her.

That Arafat is fighting not to establish a Palestinian state but to destroy the Jewish state became apparent at Camp David last July. He was offered nearly everything he was said to be demanding: At the stroke of a pen, Arafat could have had over 95 percent of the West Bank, 100 percent of Gaza, the re-division of Jerusalem, the end of the "occupation," and the dismantling of dozens of Jewish settlements in the West Bank. But by insisting that all the descendants of the Palestinian refugees who fled as a result of the Arab invasion of Israel the day after its birth in 1948 be allowed to return, Arafat made clear that for him and his cause, nothing short of the destruction of Israel as a Jewish state will suffice.

If the last year has confirmed Arafat's utter lack of credibility as a partner for peace, where do we go from here? Washington's immediate task is to try to prevent a regional war, now closer than it has been in 30 years. Such a war would not only threaten American allies in the region, but could inflict devastating damage on the United States itself, already grappling with its worst energy crisis since the last Middle East war. Thanks to advances in the war-making capacity of likely participants and the willingness of some of Israel's enemies to use weapons of mass destruction, such a war could have catastrophic human consequences.

Even more ominous for Israel—and advantageous for Arafat and his radical Arab allies—is that Israel faces a rabidly hostile and heavily armed Palestinian population in its own backyard, both in areas that Arafat's Palestinian Authority controls and in Israel proper. Radical Arab states like Syria and Iraq see this vulnerability clearly: For the first time in the history of the conflict, Israel faces the prospect of fighting a multi-front war while also combating an armed fifth column in its midst that would, among other things, besiege the roads its largely civilian army depends upon to mobilize. Israel's vaunted defense force isn't worth much if its citizen soldiers can't get to their bases. With little margin for error, a delay of even hours could seriously impair Israel's ability to repel an armored invasion.

To meet this threat of war, Israel possesses unprecedented military, technological, and economic strength. Its army and air force are among the best in the world. With only six million people, no natural resources, and a country smaller than New Jersey, it has built the largest economy between Europe and India. It has more engineers per capita than any other nation. But of all Israel's strengths, its greatest asset is its relationship with the United States. By publicly reaffirming America's fundamental and unbreakable bond to the Jewish state, by warning would-be aggressors that Israel will never stand alone, Washington could greatly reduce the likelihood of war.

Against the backdrop of a burnished American alliance, Israel must reinforce its own posture of deterrence by resuming the tough policies that worked well just a few years back. Israelis with even the shortest memories can recall the mid 1990s, when their country experienced a rash of terrorism more deadly, if less widespread, than they are seeing now. Despite the early promise of the peace process, Tel Aviv was on fire. Buses were exploding, killing and maiming hundreds of civilians. It was then that the young and untested Benjamin Netanyahu won an upset victory over incumbent prime minister Shimon Peres in the election of 1993. Coming just months after the assassination of prime minister Yitzhak Rabin, Netanyahu's unexpected success was bitterly resented by Israel's left-wing establishment, which helped the world cast the new leader as an "obstacle to peace."

Netanyahu insisted that the only way to stop terrorism was to expose and punish those responsible. Arafat would be held personally accountable for terrorist activity originating in territory he controlled. Publicly and privately, Netanyahu began to drive home the message that Arafat would get nothing without giving something. What the world and some in Israel labeled "right-wing obstructionism" the prime minister called "reciprocity." Yet despite the impolite things people said about him in Washington, Netanyahu was right. His strategy virtually stopped terrorism. That Israelis can name every terror attack that occurred during his tenure attests to how few there were: fewer than in any similar period before or since.

Indeed, Netanyahu's "stop Arafat" policy worked so well that Israelis soon forgot why they had elected him. On his watch, the percentage of the public who cited security as their number one concern dropped to an all-time low, from 73 percent in 1996 to 39 percent in 1999. Today that number tops 80 percent. Alas, it was Netanyahu's success at isolating and punishing Arafat that provided Israelis the very security that lulled them into trading their well-worn realism for utopian dreams of a "New Middle East"—and in 1999 trading Netanyahu for Ehud Barak.

But even if Israel returns to Netanyahu-like firmness and combats terrorism effectively, it is vital that both Israelis and Americans understand that the best they can hope for in the near future is a cold peace. As for a permanent solution to the Arab-Israeli conflict, the protracted violence spawned by Arafat's rejection

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AP / Wide World Photos

The American flag is now routinely burned at PLO rallies.

tainly be removed from power. And they know this. President Mubarak, who intersperses his regular repertoire of acerbic attacks on Israel with statements like "I will sacrifice not a single Egyptian life for Palestine," is all but begging the United States to stop Arafat.

The lesson of America's failed dalliance with Arafat is that dictators are inherently unreliable partners because they need external enemies to stay in power. They need enemies to help them justify their repression of their own people and consolidate their own control—as a seasoned democracy like the United States should have known all along.

of the settlement he claimed he wanted reminds us that there is only one: the Arab world's recognition that Israel is permanent, and its decision to live with Israel in peace.

The decades-old Arab campaign to isolate Israel diplomatically and politically is designed to deny Israel permanence—which is why the United States must diligently counter this campaign at every turn. Simultaneously, Washington should signal its intention to correct the error of Oslo by formally, finally, and completely disassociating itself from Yasser Arafat and his Palestinian Authority.

That the United States is openly vilified in the Palestinian media, that American and Israeli flags are now burned side by side at official Palestine Liberation Organization rallies, should in itself justify ending all financial assistance to Arafat's regime. With Arafat's responsibility for terrorism established, it is time that the Palestinian Authority be put on the State Department's list of terrorist sponsors and banned from the United States, and the PLO put back on that list. The message such moves would send to a jittery Arab world would be profound. By stripping Arafat of his legitimacy and subsidies, the United States would put the radical Arab regimes on notice, while reassuring the moderate ones.

In fact, allowing Arafat to continue using violence to achieve his political objectives threatens Egypt and Jordan—U.S. allies and the only Arab nations formally at peace with the Jewish state—more than it threatens Israel. If, through continued incitement of the Arab masses, Arafat is able to lure the leaders of these two nations into his war against Israel, not only will their armies be defeated and their countries devastated, but they will almost cer-

One who was clear about this is Natan Sharansky, the human rights activist now deputy prime minister of Israel. He warned for years that the Oslo process was doomed to fail, based as it was on the belief that Arafat could be trusted to stop terrorism precisely because he was a former terrorist himself and a dictator unencumbered by the niceties of democracy. The idea was to get the fox to guard the henhouse. As the late prime minister Yitzhak Rabin used to say, "Arafat can crack down on Palestinian terror without having to worry about a free press, a supreme court, or any of those annoying human rights groups." But in the end, Arafat was not prepared to fight his own people in order to protect Israel, and the attempt to turn a corrupt, murderous dictator into an ally by indulging him with unimagined power has proved disastrous.

Who or what should replace Arafat? Answering this question is less urgent than recognizing that he must go. The United States regularly pursues "regime change" in instances where its interests are at stake, and today its interests are threatened nowhere so much as by Yasser Arafat. While the history and culture of the Arab and Islamic worlds suggest that democratization is not a realistic short-term option, it must be an explicit long-term goal. The mistake of the past decade was to think that peace could be built by bankrolling an individual rather than supporting the principles and institutions required to nurture a free and open society. The sooner that mistake is acknowledged, discarded, and corrected, the sooner stability can be restored, and maybe even someday peace established, in the Middle East. ♦

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The Unrealistic Realism of Henry Kissinger

By Max Boot

All photos: Corbis

I saw Henry Kissinger the other day in New York. For a moment I was disoriented. It was as though Bismarck or Metternich had walked out of a history book and straight into my path. Like his nineteenth-century heroes, Kissinger now seems mostly to belong to history: He has earned his place as one of the most powerful and controversial secretaries of state ever, the architect, along with Richard Nixon, of the opening to China, détente, the Paris Peace Accords, and so many other events that must feel, to a new generation, almost as ancient as the 1878 Congress of Berlin.

Yet a quarter-century after his departure from government Kissinger remains a presence: still dispensing advice to CEOs and politicians, still attending society fêtes, still writing op-eds and giving speeches—and still arousing debate. The always-provocative Christopher Hitchens a few months ago took to the pages of *Harper's* to argue at excruciating length that Kissinger is a war criminal. (You know, the "secret invasion" of Cambodia and all that. Ho-hum.) And though he no longer runs America's foreign policy, Kissinger can't resist the urge to coach from the sideline those who do.

His latest book, *Does America Need a Foreign Policy? Toward a Diplomacy for the 21st Century*, proves that he still has a lot to say and knows how to say it well. It is hard to think of any other major living American foreign policy figure who writes so elegantly or with such erudition. Richard Holbrooke, who penned a masterly account of the Dayton peace accords, is his only rival in this department. Whether you agree or disagree with its conclusions, any book by Kissinger promises the kind of rich intellectual meal that makes Warren Christopher's recently released memoir seem, by contrast, thin gruel indeed.

Does America Need a Foreign Policy?
Toward a Diplomacy for the 21st Century
by Henry Kissinger
Simon & Schuster, 352 pp., $30

Given that no one questions whether America needs a foreign policy, Kissinger's book should really have been entitled, "*My* Foreign Policy for America." Most of it consists of a continent-by-continent, sometimes country-by-country, survey of the world scene, analyzing each area for the problems and opportunities it presents the United States. The final two chapters abandon the geographical format to focus on international economics and questions of "peace and justice."

Many of Kissinger's observations show an acute eye, especially his critiques of Clinton initiatives. He calls the failed Middle East peace talks "the dialogue of the deaf" and warns of the folly of trying to bribe North Korea to give up its nuclear program—an attempt that "may have encouraged other rogue states to initiate nuclear weapons programs to generate a comparable buyout."

He is particularly persuasive on ballistic-missile defense. As the author of the ABM Treaty, he repeats his call for voiding this pact signed with a country that no longer exists (the Soviet Union) during a war now over (the Cold War), though he is less convincing in trying to explain why he signed this flawed treaty in the first place. He also makes

Max Boot, the editorial features editor of the Wall Street Journal, *is writing a history of America's small wars.*

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many valuable suggestions, for instance proposing closer American relations with India.

Kissinger's survey of the world scene is informed, naturally, by his position as one of the leading theoreticians and practitioners of the school known as "realpolitik." He has long been associated with the view that the United States should pursue its security interests instead of trying to foster its values around the world. Having spent decades debating this proposition, he is all too aware of the principal criticism—that the American people are too idealistic, democratic, and unruly to have a foreign policy worthy of the Hapsburg Empire. In this book, Kissinger gamely tries to meet his critics halfway, suggesting that American foreign policy should avoid either "excessive 'realism'" or "excessive 'idealism.'" Fair enough. Who is in favor of *excess* anything?

Yet too often his agreements with the idealist school about human rights and democracy read as though they were uttered through clenched teeth. At the end of a long chapter on Asia, in which he explains why democracy and human rights are *not* appropriate guideposts for U.S. policy in the region, he declares: "Any serious dialogue with Asian nations cannot fail to include the subject of human rights." And why not? Not because they are beneficial to American policy but because "No administration which fails to take account of this reality can maintain public support." One senses he must have resisted the urge to add "Unfortunately" at the beginning of that sentence.

Kissinger's view seems to be that it's a good thing democracy has spread as far as it has—but we should certainly not be doing much to advance it further. He writes, "Though most Asian countries adopted some sort of electoral system, democracy has not been their defining national experience." America's true interests lie in preventing any single power from dominating the rest, not in attempting to transform countries like China into liberal democracies. No "messianic globalism," please.

There is a sort of logic to Kissinger's analysis—though it boils down to little more than the proposition that the absence of democracy in a country means democracy is not relevant there. This is especially glaring in his analysis of the Middle East. "The conflicts in the region are not about democracy because, except for Israel, none of the contestants is a democracy," he writes.

Kissinger with Nixon and Thatcher

It doesn't seem to occur to Kissinger that, as Natan Sharansky and others argue, the conflicts in the Middle East are about the *lack* of democracy and its attendant freedoms in the Arab world. Israel is America's most loyal friend in the region precisely because Israel shares America's values. Iraq, Iran, Syria, and Libya destabilize the region because they are thug-ocracies. A major reason the Palestinian Authority won't make peace with Israel is that it too is governed by men with guns. Like Saddam, Assad, Qaddafi, and all the rest, Arafat needs a foreign threat to justify his tyrannical rule. Having spent decades whipping up hatred of the "Zionist imperialists," he cannot easily turn around and end the struggle. Two Arab strongmen, Sadat and King Hussein, did make peace with Israel (it is perhaps relevant that Jordan is among the most liberal Arab states), but it is a very cold peace indeed.

Yet among the eight principles that Kissinger says "should guide any new approach" to peace negotiations between Israel and the Palestinians, he never mentions the need to transform Palestinian society, to spread freedom and the rule of law to the West Bank and Gaza Strip. This is the same mistake Israel and the United States made in the Oslo process: expecting that negotiations between a democracy and a dictatorship with clashing interests could produce a modus vivendi. Come to think of it, this is also the illusion that animated détente.

The charitable explanation for why Kissinger does not suggest trying to transform the Palestinian Authority is that he thinks it impossible (as opposed to undesirable). But who, six decades ago, would have thought that Europe would be as peaceful and democratic as it is today? In 1945 it would have been easy to say that democracy had not been Germany's "defining national experience" and that therefore American ideals had no applicability to the land of Bismarck and Hitler. Indeed during World War II many "realists" did argue that Germany should be dismembered or deindustrialized so that it could never threaten its neighbors again. Luckily, American policymakers ignored the counsels of caution and boldly decided to reshape the former Axis states, turning them into pillars of liberal democracy. The United States after 1945 did not follow a "balance of power" model in Western Europe; it imposed American values, with results Kissinger applauds.

Democracy has now spread to Eastern Europe as well, not least because

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America steadfastly opposed communism for a half century. Though policy swung toward "coexistence" during the Nixon-Ford-Carter years, Ronald Reagan moved firmly to an "unrealistic" policy aimed at the overthrow of Soviet power. What realist, after all, would have called the USSR an "evil empire" or thundered, "Mr. Gorbachev, tear down this wall"? How naive.

Sophisticates like Kissinger had realized decades before that the existence of the Soviet bloc was a reality to be accommodated, not a challenge to overcome. (Kissinger now tends to forget his pronouncements along these lines from the 1970s.) Only a Hollywood actor unschooled in international relations could possibly think that democracy might spread to areas under the dominion of the Red Army. So today only an ignorant clod—or deluded ideologue—could imagine that democracy might be an appropriate form of government for a country under the sway of the People's Liberation Army.

Yet democracy has somehow taken hold in such Asian countries as Taiwan, South Korea, and Japan, which showed no more historical affinity for liberalism than mainland China does. (In fact Taiwan has precisely the same cultural heritage as the PRC.) Likewise democracy seems firmly established in such countries as Poland and Hungary, which had little or no experience of it before the 1990s. History is not destiny. Being ignorant of it may even help a policymaker escape its shackles.

Kissinger, of course, is steeped in diplomatic history and skilled in citing it (the unkind might say "manipulating it") to make his case. And, naturally, no period of history causes him more concern than the one in which he was calling the shots. Even in this volume, ostensibly concerned with the 2000s not the 1970s, he tries to portray his own past actions in the most flattering light possible—a project he undertook at considerably greater length in three volumes of memoirs. He claims that the realpolitik policy he and Nixon implemented "had many remarkable successes." An interesting take on what, to most observers, would appear to be

Kissinger eats with Chou En-Lai in 1973

one of the most dismal decades in American diplomacy—a decade when world communism was at its zenith and American power at its nadir. Of course, Kissinger argues that he and Nixon and Ford did the best they could with the bad hand they were dealt. There's some justice in this claim, but it conveniently overlooks the fact that Kissinger was not matching his accommodationism with a simultaneous attempt to buck up the American people to take a harder line against Communist aggression. Instead he actively derided and sabotaged the conservatives and neoconservatives who were attempting to awaken America to "the present danger."

One can forgive Kissinger for his obvious, understandable attempts at self-exculpation. (One of his most attractive qualities is his sense of humor, which he often employs to poke gentle fun at his own healthy ego.) Much harder to forgive, because it is less obvious to readers not steeped in the study of history, is his attempt to enlist to his cause one of America's most admired presidents. In his magisterial earlier work, *Diplomacy*, Kissinger paid Theodore Roosevelt what is, for Kissinger, the ultimate compliment: "He approached the global balance of power with a sophistication . . . approached only by Richard Nixon." Now, in *Does America Need a Foreign Policy?*, Kissinger returns to the charge, praising Roosevelt as the admirable practitioner of European-style realpolitik, in contrast to Woodrow Wilson, that dangerous proponent of American ideology.

Might this be the same Theodore Roosevelt who whooped America into war against Spain, because, he explained, "It was our duty, even more from the standpoint of National honor than from the standpoint of National interest to stop . . . [the] murderous oppression" of the Cuban people? The same Theodore Roosevelt who wanted war not because of any particular foreign threat but to wean Americans of "the soft and easy enjoyment of material comfort" and to secure the nation's "greatness"? The same Theodore Roosevelt who repeatedly stressed that "righteousness" and "justice" were more important than "peace" among "the nations of mankind"?

Roosevelt was described by his biographer John Milton Cooper as "the most visionary idealist in American politics." Kissinger calls him a realist mainly because he practiced good balance-of-power politics in brokering an end to the Russo-Japanese War of 1905. That is, at best, an incomplete picture. Roosevelt, like Reagan, knew how to fuse American ideals with American force—a combination that Kissinger still struggles with.

Theodore Roosevelt's policy helps illuminate another shortcoming of Kissinger's worldview. For Kissinger the "balance of power"—maintained by wise statesmen schooled in the diplomatic arts . . . statesmen like himself,

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really—is the highest goal of international relations. He recognizes that the nation-state is in decline today, under attack from ethnic disturbances below and from international law above. Nevertheless he argues that tampering with the Westphalian system and its "doctrine of nonintervention in the domestic affairs of other countries" is a dangerous departure from the time-tested norms of international relations.

But Theodore Roosevelt, unlike Henry Kissinger, knew that the balance of power was not an end in itself. Yes, Roosevelt believed in the balance of power in Asia or Europe, where America was very weak early in the twentieth century. But how did he act in a region where America was strong enough to impose its will? Only the Caribbean fit that description in 1900, and it was there that he promulgated the Roosevelt Corollary to the Monroe Doctrine, holding that the United States would exercise "international police power" so that American honor would be safeguarded and European meddlers excluded. Showing scant regard for Westphalian niceties, the United States turned Santo Domingo, Cuba, and Panama into protectorates and Puerto Rico into a possession. This policy was expanded under Roosevelt's successors, Taft and Wilson, who added Nicaragua, Haiti, and the Virgin Islands to America's empire.

Britain practiced a similar philosophy for centuries. Whitehall was famously intent on preserving a balance on the Continent but only because Britain did not have the resources to impose its will there. In much of the rest of the world Britain did not seek a balance of power. It sought dominance. And it sought to impose its "values."

Today America has as much power in many parts of the world—for starters, in the Middle East, Europe, and Northeast Asia—as it once had only in the Caribbean. It has more power than Britain ever did. The question is: Will America practice a timid diplomacy based on the balance of power, or will it try to defend and extend the Pax Americana, a worthy successor to the Pax Britannica? Most international relations scholars agree that a benign hegemony is more stable than a balance of power (less risk of a replay of 1914), though most doubt that it can be preserved for long.

If America is to maintain its hegemony, it will, like Britain, wind up using its power for purposes hard to justify by any traditional calculus of "national interest." Britain stamped out the slave trade and the thug cult in India; America has stamped out ethnic cleansing in the Balkans. Kissinger grudgingly supported this intervention after the bombs started falling because NATO's prestige was on the line, but he is troubled by it. He implies that the Kosovo campaign represented an unprecedented and probably unwarranted interference in another nation's internal affairs. "We may be entering a world in which, to use G.K. Chesterton's phrase, 'virtue runs amok,'" he writes, darkly. And, he warns, the United States should not become "policeman of the world."

Is this the counsel of prudence—or pusillanimity? I have an idea what Theodore Roosevelt might say. He had nothing but scorn for "milk-and-water cosmopolitanism," for "flapdoodle pacifists and mollycoddlers"—and also for the unrealistic realists, like Henry Kissinger, who would define America's world role in the most crabbed and narrow terms, without reference to American ideals. "The men who have stood highest in our history, as in the history of all countries," Roosevelt wrote in his autobiography, "are those who scorned injustice, . . . who did not hesitate to draw the sword when to leave it undrawn meant inability to arrest triumphant wrong." ♦

Last in the American League

A history of baseball in Washington.

BY JAMES W. HALEY JR.

For baseball games played in distant cities in the 1930s and 1940s, local baseball announcers would read the telegraph wire to find out what had happened on each play, add canned applause and the recorded sound of a bat, and broadcast games as if they were really watching the players. Arch McDonald, the Washington Senators' broadcaster, was one of the best at this. But even he had trouble when the telegraph ticker failed. When it resumed, the announcer would have to catch up quickly, frequently by saying batters hit the first pitch and made three quick outs. McDonald was famously caught fabricating. He announced a three-pitch inning. One wondered how old Arch had gotten it so wrong when the Washington papers revealed the next day that infielder Sam Dente had set a Senators' record by fouling off eight straight pitches.

Hardball on the Hill
Baseball Stories from Our Nation's Capital
by James C. Roberts
Triumph, 258 pp., $22.95

According to James C. Roberts in *Hardball on the Hill*, his absorbing account of baseball in the nation's capital, something similar happened to another wire-reading announcer in Des Moines, Iowa. That announcer was "Dutch" Reagan, who in later years loved to reminisce about having invented a ten-second inning. Reagan announced Chicago Cubs games for Iowa stations from 1932 to 1937. He went on to other things, including playing pitcher Grover Cleveland Alexander in the 1952 film *The Winning Team* and be-

James W. Haley Jr. is a circuit court judge in Virginia and still a Washington Senators fan.

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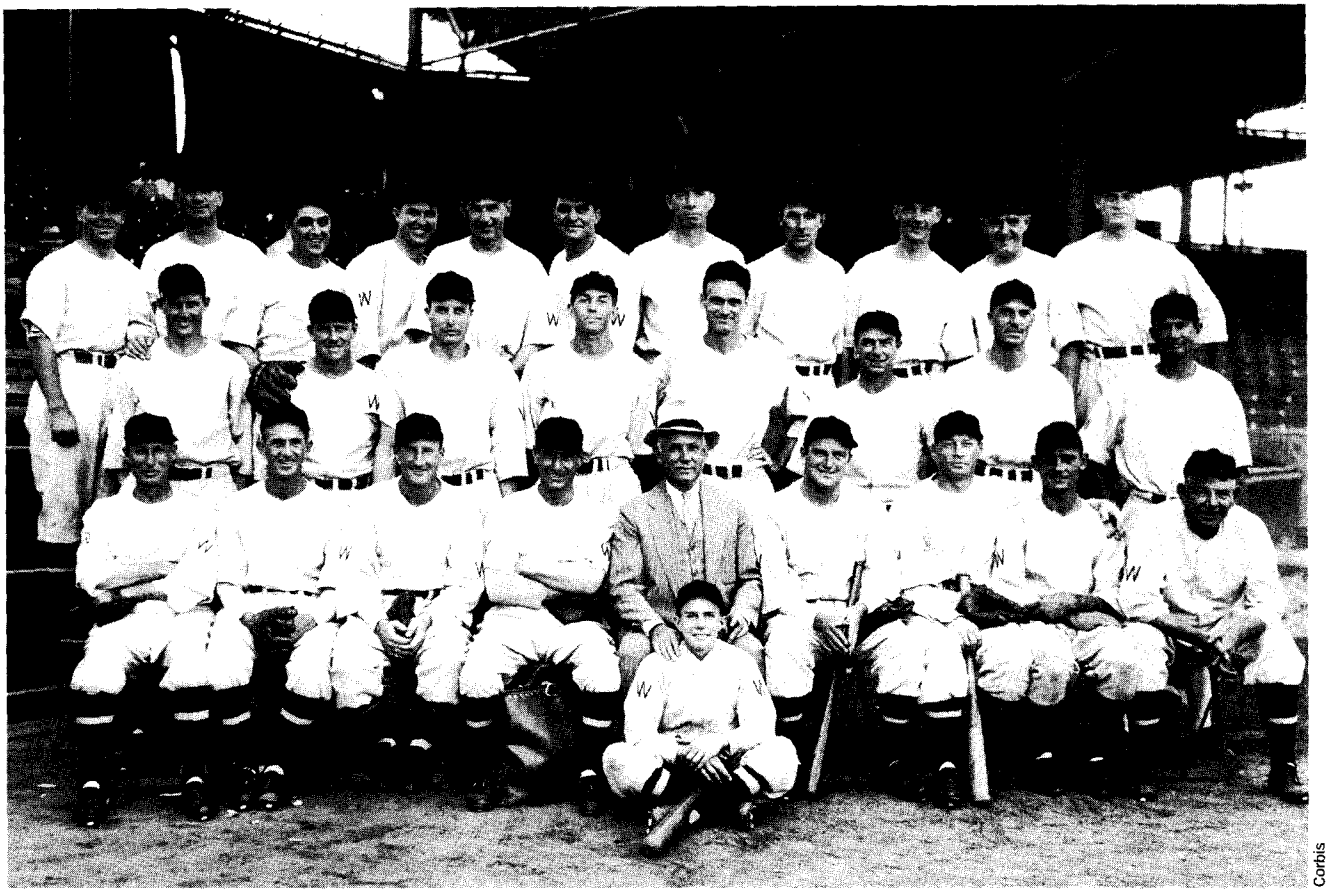

Corbis

The Washington Senators in 1933

coming president. But he always remained a Cubs fan—and his connection to Washington baseball was mostly that he was a baseball guy who wound up in Washington.

Hardball on the Hill collects dozens of such nuggets of baseball history, old and new, and traces the relationships of those stories to Washington as a city, Congress as an institution, and the Senators as a ball club. James Roberts is the founder and president of Radio America, a news and talk network with over four hundred affiliates, and he has an eye and an ear for great Washington stories. Among his subjects are a legendary game between opposing units following the Battle of Spotsylvania, Virginia, in 1864, as Yankee soldiers brought the game south during the Civil War. You'll find in *Hardball on the Hill* everything from the story of Abe Lincoln watching baseball played on the White House grounds, to Claire Schillace, a 1943 professional female ballplayer in the women's league, who ended up teaching science to an Army brat in Germany named Norman Schwartzkopf. In his account of ballplayers who volunteered for service in World War II, Roberts provides a moving tribute to Jimmy Trimble, a graduate of St. Albans, who chose the Marines over the majors and died on Iwo Jima. Another who served, Roberts reports, was a minor-league pitcher named Bert Shepard. A fighter pilot, Shepard lost half his right leg to German antiaircraft fire—but still managed to pitch for the Washington Senators after the war, fitted with an artificial leg.

Along the way, Roberts tells the history of the almost annual but always serious congressional game between Republicans and Democrats, and the story of Moe Berg, the catcher and spy of the 1930s. He recalls the congressional resolutions to absolve Shoeless Joe Jackson of the taint of the 1919 Black Sox, the still-living grandfather of Congressman J.D. Hayworth of Arizona who played with Ty Cobb, and just-retired Senator Connie Mack of Florida, whose grandfather, the baseball manager and owner Connie Mack, composed "The Sportsman's Creed," which Congress should consider applying to its members.

Then there's the odyssey of Lacy Ellerbe, a Washington native, who played from 1937 to 1954 for teams in the Negro Leagues, and of Hall of Fame pitcher Jim Bunning, now a Republican senator from Kentucky, who helped establish the $1.5 billion players' pension fund. Roberts touches on the B'nai B'rith Sports Hall of Fame and, of course, the Emil Verban Memorial Society—a collection of devout Cubs fans in Washington whose members have included Reagan, Dick Cheney, Antonin Scalia, George Will, and Bud Selig.

Roberts remembers Bob Wolff, the Senators' talented play-by-play guy, who called the last half of Don Larsen's perfect World Series game for the Mutual Network in 1956. And he

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tells the painful tale of Pete Rose Jr., whose twelve years of toil in various minor leagues brought him near Washington but not to the majors. On the other hand, it was a Washington attorney named John Dowd whose investigation led to the banishment of Pete Rose Sr. from baseball and thus consideration for the Hall of Fame. Harry Caray, the late announcer for the Cards and Cubs, makes a Washington appearance, too, captivating the town when he showed up for a Smithsonian seminar on the game's greatest broadcasters.

Finally, Roberts relates the sad saga of Washington's professional ballclubs. The original team, the Washington Nationals, composed of government clerks, was chartered in 1859. (The nickname "Nats" stuck with the team even after they became the Senators.) After fits and starts, the first professional Senators left the Atlantic Association and joined the American League in 1901. On the arm of Walter Johnson, with a lifetime record of 417-279 and a career E.R.A. of 2.17, the Senators won the World Series in 1924 and the pennant in 1925.

They represented the American League in the Series in 1933, losing to the New York Giants. Never again—from 1934 to 1961, when the original Nats left to become the Minnesota Twins, or during the tenure of the expansion Senators, who decamped to Texas to become the Rangers in 1971—did the Washington ball club win a division title. In the last twenty-five years of the team, they finished last eleven times, next to last five times, and had only two winning seasons.

The Senators did have some heroes. Mickey Vernon, Washington's perennial all-star, played an elegant first base and beat Ferris Fain for the American League batting title in 1953. Pitcher Early Wynn stayed for a while, Harmon Killebrew blasted homers for the old Senators, as did Frank Howard for the new.

And if poor Bert Shepard isn't the best measure of the Senators' abilities, try an outfielder named Carlos Paula. He lived in pre-Castro Cuba and justified his three day tardiness at spring training in Florida on the "time difference" between Cuba and Florida. Or try Jimmy Piersall, who played for the Senators at the tail-end of his career and was thrown out of a game before the first pitch, arguing about something that had happened the night before. Or consider the Senators' pitcher who threw down the baseball and took his wind-up with the rosin bag in his hand. He hadn't noticed the difference. The stories of futility by the Senators could constitute a book of their own.

Until 1961, Washington had an interesting ball yard. Griffith Stadium, named after the tightfisted Senators owner, was located at 7th and Boundary in the northwest quadrant of the city. (The location is now a parking lot for Howard University.) It featured its own Green Monster, a high right-field wall invitingly close. There was a beer garden in the left-field bleachers, 75 cents a seat, where if you possessed a draft card showing you were eighteen, you could buy beer, even if you were actually fourteen. Griffith Stadium was the venue for Mickey Mantle's 565-foot home-run shot in 1953.

All in all, James Roberts has put together a delightful collection of anecdotes, tales, and pictures of baseball in Washington. *Hardball on the Hill* is a book for every fan of the game, not just those who long for the return of Mickey Vernon and the Senators. ♦

Old Dominion

A tale of passion, mystery, and incest among America's first families. **BY NOEMIE EMERY**

Families are not what they once were—but this may not be entirely a bad thing. Cinderella, after all, had a family. So too did Hamlet, King Lear, Oedipus, and Antigone. So did Anne Cary Randolph, better known as "Nancy," the prime mover in our first great American scandal and now the heroine of *Unwise Passions: A True Story of a Remarkable Woman—And the First Great Scandal of Eighteenth-Century America*, a book by the Virginia historian Alan Pell Crawford. Imagine *Gone With the Wind* if Eugene O'Neill had written it, add a spoonful of Alexis de Tocqueville, a suspicion of incest and murder, many great names and reversals of fortune, and you have this love-hate-mystery tale of political history.

Unwise Passions
A True Story of a Remarkable Woman—and the First Great Scandal of Eighteenth-Century America
by Alan Pell Crawford
Simon & Schuster, 329 pp., $27.50

"A man's foes shall be they of his own household," warns the Gospel of St. Matthew. Nancy Randolph's were. She not only had a family; she had a family whose sway in its own time was enormous. It all had begun in the late 1660s, when William Randolph, descendant of a nephew of Robert the Bruce, and then of a long line of advisers to the royal houses of England and Scotland, migrated to the New World and built a grand house on Virginia's James River. He had seven sons who in turn built their mansions and planted tobacco.

In no time, they replicated the country-house world they had known in England, their opulence in dramatic contrast to the untamed wilderness around. Tuckahoe, Nancy's birthplace, built near Richmond in 1710, was, Crawford writes, "the scene of boisterous barbecues, fish fries, and fancy dress balls. The clapboard mansion was known throughout the colonies for its fine walnut paneling and fragrant boxwood gardens. Done up in velvet and

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gold, the colonel's bedroom was the stuff of legend; the stables housed some of the fastest horses in the South."

With all of this wealth went political power. Edmund Randolph would be the new country's first attorney general. Peyton Randolph was an early revolutionary leader. John Marshall's mother was a Randolph. Thomas Jefferson's mother was a Randolph, and his oldest daughter would marry one. The result was something akin to the old English system, where one ducal family controlled a whole county.

Still, there was something unreal and precarious about it. It had come too fast, its hold on the wilderness was too superficial, and before long, it began to wear off. Growing tobacco became harder and harder. The family stock was becoming exhausted. Typical were the three sons born around 1770 to John Randolph of Matoax and his wife, Frances Bland. The youngest, Jack—John Randolph of Roanoake—became an eccentric congressman, famous mainly for duels and epigrams. Known as effeminate before and after a bout of high fever, he had a spindly build, a high voice, and the smooth hairless skin of a child. Theodorick, the middle son, would die at twenty. Richard, the eldest, was charming and spoiled enough to be utterly worthless. They caused great concern, both to their father and their stepfather, a hard-working lawyer, who tried to warn them that the money was going, that they would inherit debts only, and that they would have to rely on "their own personal abilities and exertions" to get by.

Richard, however, had little inclination to exert himself. His one show of nerve was his insistence on marrying his cousin, Judith Randolph of Tuckahoe, whom he wed in a grand society function on Christmas Day in 1789. Settling first in his birthplace, they moved on to Bizarre, a plantation whose name would prove all too prophetic. Soon, they would be joined there by more family members: his younger brothers, Jack and Theodorick; and her sister, Nancy, who by that time had been forced to leave home.

Nancy's problems had begun when her mother died and her father remarried, to Gabriella Harvey, the wicked stepmother of all children's terrors, who lost no time in "sowing discord" between her new husband and his children. Relations between Gabriella and Nancy were especially difficult—and so Nancy fled to Bizarre, a curious choice, where her life became still more peculiar. At once, she became the focus of all the men in the family: of the waspish attentions of Jack, the more straightforward attentions of Theodorick (who became her fiancé, as she later attested), and the more complex attentions of Richard, whose marriage to Judith had begun rather badly, and had since then become worse.

Nancy Randolph

It was soon noted that Nancy and Richard shared a certain rapport and affinity. It was noted that Judith, then pregnant, was distant and querulous. Late in 1791, Theodorick was ailing, and he died on February 14 the next year. And some months after this sad thing happened, it was noted that Nancy was . . . fat. This weight gain of Nancy's—its possible cause, and its probable author—began to obsess the Randolphs and Virginia society, which were, in those days, the same thing. Tongues wagged, rumors flew, and eyes stared. Nancy took to locking her door while undressing, while relatives took to peering through the cracks. Complaining of colic, she asked her sister-in-law, Patsy Jefferson Randolph, for a medicine known to induce miscarriage. An aunt had seen her "look at her waist, and cast her eyes up to Heaven," with a great sigh of grief.

Late in September, the family went on an overnight trip to their cousins, the Harrisons, with Nancy wrapped up in a thick winter coat. Late that night, screams were heard coming from her upstairs bedroom, along with the noise of footsteps going up and downstairs. The next day, Nancy appeared pale, but quiet; the next day, the Randolphs departed. And weeks later, rumors began to course through Virginia that the body of a dead white infant had been discovered at the Harrisons' plantation by their slaves.

The trial of the century—the eighteenth century—of Richard Randolph for the murder of the child born presumably to himself and his sister-in-law began at the courthouse in Cumberland county on April 29, 1793. Present were all the marks of celebrity trials and scandals we have come to expect. There were the rival teams of celebrity lawyers: Edmund Randolph for the prosecution; John Marshall and Patrick Henry for the defense. There were crowds of spectators, eager to see well-connected, rich people in trouble. There were the stories of stonewalling among family members: the Harrisons, who claimed to have heard and seen nothing; Jack, who denied that Nancy was pregnant; Judith, the aggrieved party, who had said nothing at all.

The problem was that while a narrative could have certainly been constructed that would add up to murder, there were few facts that seemed watertight. Some people thought Nancy seemed fatter in May, but could not have sworn she had later grown too much larger; while some noticed noth-

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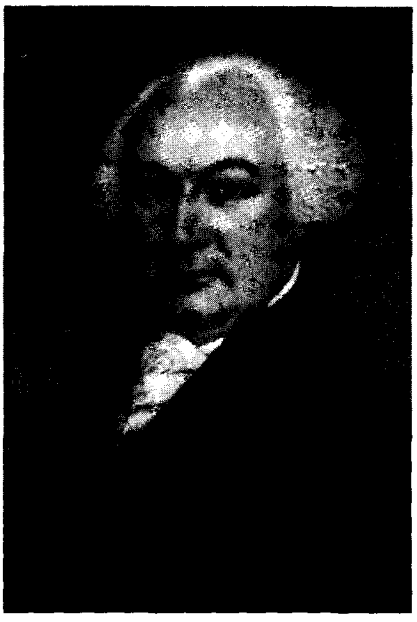
ing. Richard had indeed been warm toward Nancy, but in the presence of others, including his wife.

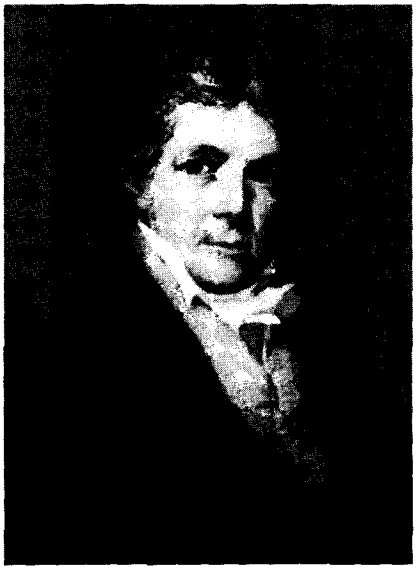
Bloodstains at the Harrisons' on the stairs and the pillowcase could have had many causes. Writes Crawford, "Nancy's friends, Marshall admitted, 'cannot but deny that there is some foundation on which suspicion may build,' but her enemies could not dispute that every circumstance might be accounted for, without imputing guilt." Everything, in short, could be surmised, but nothing quite proven. The charge was dismissed.

The Randolphs then went home to Bizarre, condemned to each other. Money and power may seem to have triumphed, but in reality, the Randolphs and the world around them had received a fatal blow. In retrospect, the trial had been a defining moment, at which the inheritors of a great ruling family had begun to surrender their moral authority, and made a descent into figures of ridicule. "Before the year was out," writes Crawford, "the girl had become the Jezebel of the Old Dominion and the young man who was the alleged father had become its laughing stock. Idlers in taverns made ribald jokes at his expense."

Back at Bizarre, feelings, always intense, now became poisonous. Judith, who had maintained her faith in her relatives' innocence, began to have doubts and to turn on her husband and sister. Richard, whose moral fiber was never excessive, was worn down by the trauma, and died of a sudden mysterious illness in June 1796. With his death, Jack began to turn against Nancy, whom he soon claimed had poisoned his brother. While Judith took—Nancy claimed—to treating her like a servant, Jack had begun spreading poisonous rumors: that she had killed his brother, that she had killed her own infant, that she behaved like a prostitute and slept with servants and slaves.

At the end of 1805, Nancy was ordered off the plantation, at age thirty-one, scandal-ridden and penniless. Scarlett in the vegetable garden at post-Sherman Tara, had not fallen further. But, like Scarlett, Nancy had no intention of submitting tamely. "I will rally again," she said, and she did.





Gouverneur Morris and John Randolph

Gouverneur Morris may not have looked like Clark Gable playing Rhett Butler, but he was in all other ways perfect: a worldly roué with a large reputation; seasoned and clever and rich. Born in 1752 to great wealth at Morrisania in what is now the Bronx, he had been successively a delegate to the Continental Congress, a delegate to the Constitutional Convention, an ambassador to France under President Washington, a senator from the state of New York, and a friend to most of the leading lights of his era, from such fellow Federalists as Washington, John Jay, and Alexander Hamilton to people he had met abroad in his travels, such as Talleyrand, Madam de Staël, and Lafayette. He was a witty patriot and an egregious rake, who had lost a leg at the age of twenty-seven when his carriage turned over as he was speeding away from the house of a woman whose husband had returned prematurely. He was fifty-four in 1806, when he received a note from Anne Cary Randolph, whom he had met only once, when she was fourteen. In it, she said she was now in New York, seeking employment, and asking his help and advice.

Nancy had come to New York in late 1806, after perhaps the worst years of her life. She had first gone to Tuckahoe, which she found run-down and deserted. She then went to Richmond, where she rented a room that had almost no furniture. Frequently destitute, she seems to have lived on small sums from her brothers. She went on to Connecticut, where she befriended a widow. She stopped in Rhode Island, where she may have taught school. And finally, she came to New York, where Morris came to her in 1808 with a business proposal: He was looking for a "reduced gentlewoman" to take care of his house. Correspondence followed, and in April 1809, Nancy moved into the Morris estate.

On Christmas, Morris, the confirmed bachelor uncle, played host to his extended family and prospective heirs, plus the rector of his church. After dinner, the party adjourned to the parlor, and the rector stepped forward. Then, as Morris later confided to his diary, "I marry this day Anne Cary Randolph. No small surprise to my guests."

Nancy's coup in snaring the catch of the country did not mean that her life after this was untroubled. The Morris heirs disinherited by the marriage—and by the resulting son, Gouverneur II, born some years later—eagerly joined the Randolphs in calling Nancy a slut and a murderess. Nonetheless, she had recovered the heights of social preeminence to which she had been born. In December 1811, she and her husband went to the White House for a pri-

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vate meeting with President and Mrs. Madison, dined with the minister at the French legation, and "in mid January, she celebrated with her husband when the House committee voted its approval of the Erie Canal."

This story of success was played out against the decay of the society that had ejected her, now increasingly debt-ridden and desperate. Always unhappy, her sister Judith had one son who was deaf and one who died before twenty. Jack through the years had become still more eccentric and violent. He fought one duel with Henry Clay, threatened two more with Jefferson's sons-in-law, and, in an infamous incident, nearly beat a fellow congressman to death. Her brother Tom was depressed and insolvent, driving his wife, Patsy Jefferson, into long stays at Monticello to escape his rages, where her father, the ex-president, spending far too much on incessant house renovations, was quickly sinking into poverty himself.

Twice in American history, there have been attempts to build in the agrarian South a landed hereditary aristocracy based on the models of Europe and England. The second was the cotton kingdom of the nineteenth century, which was broken by the Union armies. The first was the tobacco kingdom of the Old Dominion, which was broken by market forces and by human nature. The great theme of *Gone With the Wind* is the collapse of cotton's faux aristocracy, and the success and failure of its members to cope with the tough world that followed. The great theme of Alan Pell Crawford's *Unwise Passions* is the collapse of tobacco's faux aristocracy. Richard Randolph is the Ashley Wilkes of this story, who was soft and went under. Nancy and Morris are like Rhett and Scarlett, who were tough and did not.

In the one statement she seems to have made about the events that had altered her life, Nancy seems to have admitted that she had carried a child—but the child of her fiancé, Theodorick, and that child was born dead. "I was left at Bizarre, a girl not yet seventeen, with the man [I] loved. I was betrothed to him, and considered him my husband in the presence of God." As Crawford elaborates, "They had all lied at Cumberland court. She *had* given birth that night at Glentivar, but it had been Theodorick's baby, not Richard's, and it had been born stillborn."

All photos: Simon & Schuster

Tuckahoe Plantation, where Nancy Randolph was born.

It is likely that the child was premature, for several reasons, among them that a full-term pregnancy would have been all too self-evident. But a child fathered by Theodorick would have had to have been conceived before his death in mid-February, and before this, he had been desperately ill. Was he in any condition to have fathered a child, and could Nancy have found him attractive in his illness? By the summer of 1791, Crawford says, "friends and relatives began to feel that Richard's attentions to Nancy were improper. They had also come to suspect that his feelings were returned, and that any desire Nancy might have once felt for Theodorick was gone." Later, when the Randolphs were dead, Richard was "the only one she ever again referred to with fondness."

So was the baby born dead or killed, in a moment of panic? If the baby was due, why did the family go to Glentivar? If Nancy had taken a drug to induce a miscarriage, why did she then go on an overnight visit? Why, if the family wished to hide her condition, did they go on a visit at all?

Mysteries persist as to exactly what happened, but few doubts remain about why. Intense family feelings were not uncommon. For one thing, it was hard for these people to meet others who were not their relatives. For another, once penned up with one's in-laws and extended family members, one could not escape—especially if one lived, as the Randolphs did in Virginia, in a series of large, remote houses alone in the wilderness, with transportation difficult and neighbors miles away. Confined as they were with a very few people, strange feelings emerged and swelled into unwise passions, furious jealousies, murderous hates.

One wonders what might have happened to the Bizarre contingent if they had left home more often, gotten around more, met more people who were not their in-laws and cousins. Much has been made recently, and with good reason, of the conspicuous fraying of family ties, the strain put upon them by outside influences, and constant distractions. What *Unwise Passions* reminds us is that there is sometimes something to be said for distractions from family. It is worth noting that Nancy found happiness only when forced out of the family orbit. Say what you will about Nancy's dilemma—it did get her out of the house. ♦

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A scientific study of cartoons from 1937 to 2000 revealed that nearly half depict characters using or abusing alcohol or tobacco. The study, published in the journal *Pediatrics*, warns parents that a significant portion of the cartoons do not portray the long-term consequences of such behavior.

—*News item*

Parody

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PEDIATRICS Vol. 108 No. 6, pp. 1631 – 2235

DEPICTION OF INAPPROPRIATE BEHAVIORS IN LOONEY TUNES AND MERRIE MELODY ANIMATED ENTERTAINMENT: 1937 - 2000

From the Harvard School of Public Health, Boston, Massachusetts

Objective of Study: To quantify and characterize depiction of inappropriate behaviors in animated cartoon characters and to keep ourselves busy.

Summary of Findings: A random sample of cartoons was reviewed by trained behavioral observers. Many of the cartoons revolved around a central character named "Bugs," who, though clearly suffering Attention Deficit Disorder, has apparently been denied access to normalizing medication such as Ritalin, Prozac, or Thorazine. Typical of his asocial symptoms is a recurring vocalization, "What's up, Doc," that suggests a disrespect for credentialed authority figures. Orthodontia issues—for example, his grotesquely elongated front upper incisors—are implicated in his psychosociological profile as well.

One such authority figure is "Elmer Fudd," who appears to be an amateur sportsman of some kind; he carries an assault weapon of the type specifically banned by congressional legislation, though no mention of its illegality is made in any script reviewed by researchers. When the gun is discharged—no trigger lock is in evidence —"Fudd" often generates considerable deforestation in and around the environment that "Bugs" clearly sees as his natural habitat. Again, the cataclysmic effects of this behavior—on the countryside, on the atmosphere, indeed on "Bugs" himself—go unremarked in each of the cartoons in our sample, perhaps because such admissions would complicate the "comic" intent of the filmmakers.

The dysfunctional relationship between "Fudd" and "Bugs" creates a paradigm within the films: Its dynamic recurs, for example, between a parakeet named "Tweety" and a large cat named "Thylvethter" (all spellings are phonetic). It is a classic conflict of values, even of *Weltanschauung*, with the cat wanting to objectify the bird by eating it, and the bird decontextualizing the cat by rejecting its entreaties. Instead of "getting to yes," as it were, by non-violent means—through role-playing exercises, for example, or by accessing conflict resolution resources available at local public-health facilities—the cat insists on acting out; indeed, his frustration leads him to expectorate inappropriately. Yet the parakeet makes choices of her own—modeling classic passive-aggressive strategies that few parents would like to see their children imitate. In the end no resolution is reached, suggesting to impressionable viewers that inappropriate behavior, when answered with equally inappropriate behavior, will be momentarily stifled, until the next round begins, and so on, in an endless cycle of inappropriateness.

Conclusions: Our sample suggests that contextually aberrant behavior is routinely depicted as normative within animated features, and as a consequence many parents will have difficulty tolerating such depictions within a home environment that honors tolerance. *Keywords: alcohol, tobacco, children, film, media*

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Conversion of a Standardized Test Skeptic

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Standardized testing plays an important role in reform, but it is not a silver bullet. A statewide testing program informs parents and legislators and exposes schools that are performing poorly. Unfortunately, most of the gain comes when the information is used not merely to inform debate but to give schools incentives to improve. Parents can create such incentives by exercising school choice informed by test results. Alternatively, a state can create a system of penalties or rewards for schools. School choice, however, is rare, and reward systems are hard to construct.

For years, I was a test skeptic because I thought that the benefits from testing (without accompanying incentives) were too small to justify the cost. I was wrong. Not only had I underestimated how much schools would improve to avoid being exposed, but I had not realized how inexpensive testing is. **Testing is undoubtedly the school reform with the highest ratio of benefits to costs.**

It costs about $2.50 per student to buy, grade, and publish a full battery of standardized tests, such as the Stanford 9 exams. California, for instance, is currently reimbursing districts at the rate of $2.52 per student for the cost of its testing program. Even if states were to pay proctors, the total cost would be under $4.50 per student. Just so that no one quibbles about a few cents here or there, let's round up to $5 per student for annual standardized testing. What else could we get for that amount?

We could reduce class size by two-thousandths of a student. You could raise teacher salaries by 0.24 percent—about one-quarter of 1 percent. While incumbent teachers would not mind a raise, such a tiny increase will not draw talented people into teaching or retain a teacher with good outside job opportunities. You could keep students off the streets and involved in after-school activities for almost two hours *per year,* assuming that the activities are cheap. Although children need after-school supervision and stimulation, part of one afternoon will not help much.

You could lengthen the school year by one-tenth of one day, but will one-tenth of one day really make a difference? You could give every child a college scholarship that would pay for about 1.5 ten-thousandths of the cost of a typical American four-year college education ($32,000). To be fair, the child will be in twelve grades that use standardized tests before he reaches college, so you could add up the cost over those twelve years. The total would be a scholarship worth 1.8 one-thousandths of what a typical education costs.

Because the federal government accounts for about 7 percent of spending on elementary and secondary schools, it is often hard for federal policymakers to affect schools. As a rule, the federal government simply does not have enough money on the table to induce state and district officials to enact policies that they don't already want to enact. Testing, because it is so inexpensive, may be the exception to the rule. The current federal push for testing just may work.

— Caroline M. Hoxby

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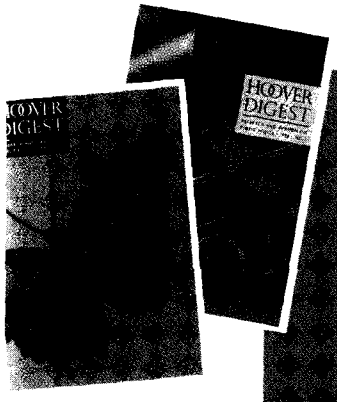

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